

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 19A-0567CP-SUSP

IN THE MATTER OF THE APPLICATION OF SPRING CAB LLC DOING BUSINESS AS SPRING CAB FOR AN ORDER OF THE COMMISSION AUTHORIZING A SUSPENSION OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 55797.

**COMMISSION DECISION DENYING
APPLICATION TO SUSPEND AS MOOT**

Mailed Date: December 13, 2019

Adopted Date: December 4, 2019

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On October 17, 2019, Spring Cab LLC, doing business as Spring Cab (Spring Cab) filed an application (Application) to suspend operations under Certificate of Public Convenience and Necessity (CPCN) No. 55797 from October 1, 2019 through an indefinite period.

2. The Commission noticed the Application to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on October 21, 2019, for a period of ten days. The notice period expired on November 1, 2019.

3. No petition to intervene or otherwise participate in this proceeding has been filed. This proceeding is uncontested. Under § 40-6-109(5), C.R.S., this matter may be determined without a hearing.

4. Spring Cab requests approval to suspend operations under CPCN No. 55797, pursuant to Rule 6205 of the Rules Regulating Transportation by Motor Vehicle, 4 *Code of Colorado Regulations* (CCR) 723-6. However, CPCN No. 55797 was revoked by Decision No.

R19-0832, mailed on October 10, 2019, in Proceeding No. 19C-0503-INS, for Spring Cab's failure to keep currently effective proof of motor vehicle liability insurance on file with the Commission.¹ Therefore, this Application to suspend CPCN No. 55797 is moot and will be denied.

5. Additionally, we note that through Proceeding No. 19M-0130TR, pursuant to § 40-10.1-203(2)(c)(III), C.R.S., CPCN No. 55797 was amended to remove all language authorizing large-market taxicab service, and that the certificate now constitutes a devalued asset under the provisions of § 40-10.1-701(1)(b), C.R.S. In compliance with Decision No. C19-0604, issued July 18, 2019, Commission Staff contacted Spring Cab and other stakeholders to obtain input on how to address CPCNs that were amended to remove operating authority, and Commission Staff's outreach yielded no answers on this issue. Spring Cab's request for suspension did not address why CPCN No. 55797, which contains no operating authority, is still necessary for its operations. Therefore, we direct that if Spring Cab submits an application for rehearing, reargument, or reconsideration in this Proceeding, Spring Cab should explain why it wishes to retain the CPCN.

II. ORDER

A. The Commission Orders That:

1. The Application filed by Spring Cab LLC, doing business as Spring Cab for authority to suspend operations under Certificate of Public Convenience and Necessity No. 55797 from October 1, 2019 through an indefinite period, is denied as moot.

¹ Recommended Decision No. R19-0832 (Decision) was mailed on October 10, 2019, and became effective as a decision of the Commission on October 31, 2019. By operation of the Decision, the authorities and permits of motor carriers named in Appendix A of the Decision were subject to revocation on the Decision's effective date unless the motor carrier filed required documentation before the effective date. Spring Cab's CPCN No. 55797 was named in Appendix A, and Spring Cab did not file required documentation before the effective date. Therefore, CPCN No. 55797 was revoked on October 31, 2019.

2. The 20-day time period provided by § 40-6-114(1), C.R.S., to file an application for rehearing, reargument, or reconsideration shall begin on the first day after the Commission mails or serves this Decision.

3. If Spring Cab files an application for rehearing, reargument, or reconsideration, Spring Cab shall explain why it wishes to retain CPCN No. 55797, as discussed above.

4. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
December 4, 2019.**

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JEFFREY P. ACKERMANN

FRANCES A. KONCILJA

ATTEST: A TRUE COPY

Doug Dean,
Director

JOHN GAVAN

Commissioners