

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO**

PROCEEDING NO. 20A-0250CP-ETA

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THE APPLICATION OF TRANSPORTIA, INC., DOING BUSINESS AS FLY AWAY SHUTTLE TRANSPORTATION FOR EMERGENCY TEMPORARY AUTHORITY TO OPERATE AS A COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.

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**COMMISSION DECISION GRANTING  
EMERGENCY TEMPORARY AUTHORITY**

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Mailed Date: June 18, 2020

Adopted Date: June 17, 2020

**I. BY THE COMMISSION**

**A. Statement, Findings, and Conclusions**

1. On June 10, 2020, Transportia, Inc., doing business as Fly Away Shuttle Transportation (Fly Away Shuttle), filed an application for emergency temporary authority to operate as a common carrier by motor vehicle for hire.

2. Fly Away Shuttle requests emergency temporary authority to operate as a common carrier by motor vehicle for hire as follows:

Transportation of passengers in shuttle service between all points in the Counties of Larimer and Weld, State of Colorado, on the one hand, and Denver International Airport, on the other hand.

3. Pursuant to § 40-10.1-204(1), C.R.S., the Commission is authorized to grant temporary authority when "there appears to be an immediate and urgent need to any point or within a territory having no such service capable of meeting the need." Section 40-10.1-204(4), C.R.S., further states: "If the Commission determines that an emergency exists, it may issue temporary authority or approval at once by making specific reference in its order to the circumstances constituting the emergency, in which case no notice need be given, but any such emergency authority or approval expires no later than thirty days after it was issued."

4. Fly Away Shuttle must meet a two-fold test: first, that there is an emergency need for the transportation services, and second, that there is no existing carrier capable of meeting the need. If Fly Away Shuttle fails to meet either test, the application must be denied.

5. Mr. Gary Vandriel, the owner of Fly Away Shuttle, provided the following statement to support this application:

At the present time there is not a shuttle service operating in Northern Colorado for the public to DIA and there is a definite need. As the travel restrictions are lifted from the Covid 19 shutdown, people need transportation to DIA.

6. The Commission is aware that the Covid 19 pandemic has resulted in a significant reduction in the number of passengers arriving at and departing from Denver International Airport. However, the Commission is also aware that Green Ride Co, Inc, doing business as Groome Transportation<sup>1</sup> suspended transportation service between points in Larimer County and Denver International Airport in March of 2020.

7. Therefore, the Commission finds that the support provided by Fly Away Shuttle shows that there is an emergency need for the transportation services requested in this application, and there is no existing carrier capable of meeting the need.

8. The Commission also finds that Fly Away Shuttle has adequate equipment and financial resources to begin immediate service within the scope of the authority sought.

9. This application for emergency temporary authority is in the public interest.

10. Fly Away Shuttle is advised that the grant of an emergency temporary authority creates no presumption that either a temporary or permanent authority will be granted.

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<sup>1</sup> Groome Transportation provides passenger transportation service between points in Larimer County and Denver International Airport under authority issued by the Federal Motor Carrier Safety Administration.

## II. ORDER

### A. The Commission Orders That:

1. Transportia, Inc., doing business as Fly Away Shuttle Transportation is granted emergency temporary authority to operate as a common carrier by motor vehicle for hire for a period of 30 days commencing from the Mailed Date of this Decision, with authority as set forth in the Appendix attached to this Decision.

2. Transportia, Inc., doing business as Fly Away Shuttle Transportation shall not commence operations until it has complied with the requirements of Colorado laws and Commission rules, including without limitation:

- (a) cause proof of insurance (Form E or self-insurance) or surety bond (Form G) coverage to be filed with the Commission;
- (b) pay to the Commission, the motor vehicle fee (\$50.00) for each vehicle to be operated under authority granted by the Commission, or in lieu thereof, paid the fee for such vehicle(s) pursuant to the Unified Carrier Registration Agreement;
- (c) file with the Commission and have an effective, publicly available tariff. The tariff should comply with Rule 6208 of the Rules Regulating Transportation by Motor Vehicle, 4 CCR 723-6. The tariff shall be filed in a *new* Advice Letter/Tariff proceeding on not less than one days' notice prior to a proposed effective date. In calculating the proposed effective date, the date received at the Commission is not included in the notice period and the entire notice period must expire prior to the proposed effective date. Information can be found at:  
<https://www.colorado.gov/pacific/dora/Trans-Tariffs>;
- (d) submit a Vehicle Inspection Report for each vehicle to be operated under the authority at the commencement of operations. The inspection must be done in accordance with Rules 6103 and 6104 of the Rules Regulating Transportation by Motor Vehicle, 4 CCR 723-6; and, the inspection must show that the vehicle passed the inspection. The inspection report may be found at:  
<https://www.colorado.gov/pacific/dora/common-carriers>;
- (e) register an authorized representative as a File Administrator on behalf of Applicant in the Commission's electronic filing system (E-Filings) and agree

that Applicant shall receive notifications electronically through E-Filings. Information can be found at: [www.dora.state.co.us/pls/efi/EFI.homepage](http://www.dora.state.co.us/pls/efi/EFI.homepage); and

- (f) pay the applicable fee (\$5.00) for the issuance of the authority causing proof of insurance (Form E or self-insurance) or surety bond (Form G) coverage to be filed with the Commission;

3. 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.

- 4. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
June 17, 2020.**

( S E A L )



ATTEST: A TRUE COPY

*Doug Dean*

Doug Dean,  
Director

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

JEFFREY P. ACKERMANN

JOHN GAVAN

MEGAN M. GILMAN

Commissioners