

Decision No. C20-0740

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 20A-0089CP

IN THE MATTER OF THE APPLICATION OF POWDERHORN PACIFIC LLC FOR A
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A
COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.

**COMMISSION DECISION GRANTING
EXTENSION OF TIME**

Mailed Date: October 19, 2020

Adopted Date: October 14, 2020

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. This matter comes before the Commission for consideration of a motion submitted on September 28 2020, by Powderhorn Pacific LLC, doing business as Powderhorn Mountain Resort (Applicant), requesting that the Commission grant a 60-day extension (until November 27, 2020) to comply with the terms of Decision No. R20-0491 (Decision).

2. On March 5, 2020, Applicant filed an application for new permanent authority to operate as a common carrier of passengers by motor vehicle for hire.

3. The Commission noticed the application to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on March 9, 2020. Interventions to the application were filed; and thus, the proceeding was referred to an Administrative Law Judge.

4. On July 8, 2020, the Decision was issued, granting the application as amended. In Ordering Paragraph No. 4, the Decision set forth certain requirements, such as filing proof of insurance and paying the motor vehicle fee, that were to be completed within 60 days of the

Decision's effective date. However, the Decision also states that for good cause shown, the Commission may grant additional time for compliance, if the request for additional time is filed within 60 days of the effective date of the Decision.

5. The Decision became effective on July 28, 2020. Hence, Applicant had until September 28, 2020 to comply with the Decision or file a request for additional time.

6. The instant motion for an extension of time was timely filed. Applicant explains the following:

Because the Palisade Plunge mountain biking trail, which Powderhorn plans to serve with its shuttle authority, has not yet been completed and because the winter ski season has not yet begun, Powderhorn has not yet leased the vehicles that it plans to use for its shuttle operations, but plans to do so by late November of this year. It would be unduly burdensome for Powderhorn to pay for insurance coverage before it has leased the vehicles it plans to use.

7. The Commission concludes that good cause exists to extend the time for compliance with the requirements of the Decision until November 27, 2020.

II. ORDER

A. The Commission Orders That:

1. The motion filed by Powderhorn Pacific LLC, doing business as Powderhorn Mountain Resort, on September 28, 2020, requesting that the Commission grant a 60-day extension (until November 27, 2020) for it to complete the requirements set forth in Decision No. R20-0491 is granted.

2. Powderhorn Pacific LLC, doing business as Powderhorn Mountain Resort, is granted until November 27, 2020, to complete the requirements set forth in Decision No. R20-0491.

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 on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
October 14, 2020.**

(S E A L)



ATTEST: A TRUE COPY

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JEFFREY P. ACKERMANN

JOHN GAVAN

MEGAN M. GILMAN

Commissioners