

Decision No. R20-0408-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 20M-0009TR

IN THE MATTER OF THE FILING OF ANNUAL REPORTS IN ACCORDANCE WITH
RULE 4 CCR 723-6-6212 OF RULES REGULATING TRANSPORTATION BY MOTOR
VEHICLE.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
MELODY MIRBABA
GRANTING REQUESTS FOR EXTENSION
OF TIME TO FILE ANNUAL REPORTS**

Mailed Date: May 28, 2020

I. STATEMENT, FINDINGS, AND CONCLUSIONS

1. This matter was initiated on March 5, 2020, when the Commission Director issued letters to regulated common and contract carriers reminding them that under Rule 6212(a) of the Commission's Rules Regulating Transportation by Motor Vehicle, they are required to file an annual report using a Commission-prescribed form by April 30, 2020. 4 *Code of Colorado Regulations* 723-6. The same letters notify motor carriers that they may file a request to extend the deadline to file their annual reports; that extensions may be granted for good cause shown for up to 30 days; and that failure to file their annual reports as required may result in negative action against their permits or authorities, including revocation or suspension.

2. On April 23, 2020, WHC FTC LLC (FTC) and WHC COS LLC (COS) each made a filing requesting an extension of time to file its annual report. On April 28, 2020, the Administrative Law Judge (ALJ) granted FTC and COS an extension of time to May 30, 2020 to file their annual reports. Decision No. R20-0305-I.

3. On May 27, 2020, FTC made a filing requesting an additional extension of time to file its annual report due to the “Covid-19 situation” to June 15, 2020. On May 28, 2020, COS also made a filing requesting an additional extension of time to file its annual report due to the “Covid-19 situation” to June 15, 2020. Neither FTC nor COS explain why the 30-day extension they were already granted is insufficient; nor do they provide any information explaining how COVID-19 has impacted their ability to file their annual reports by May 30, 2020. Nonetheless, because the COVID-19 pandemic has impacted businesses across the country in different ways, the ALJ will grant the short extension which FTC and COS seek. FTC and COS are on notice that unless good cause is shown with specific facts, no further extensions will be granted.

II. ORDER

A. It Is Ordered That:

1. WHC FTC LLC, and WHC COS LLC are granted an extension of time to file their annual reports under Rule 6212(a), 4 CCR 723-6, to the close of business on June 15, 2020.
2. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

MELODY MIRBABA

Administrative Law Judge

ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Doug Dean".

Doug Dean,
Director