

Decision No. C21-0280

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 21A-0120CP

IN THE MATTER OF THE APPLICATION OF HEY RIDES, LTD. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.

**COMMISSION DECISION GRANTING
PERMANENT AUTHORITY SUBJECT TO CONDITIONS**

Mailed Date: May 7, 2021

Adopted Date: May 5, 2021

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On March 17, 2021, Hey Rides, Ltd. filed an application for new permanent authority to operate as a common carrier of passengers by motor vehicle for hire. Hey Rides, Ltd. filed an amendment to the application on March 29, 2021.

2. Hey Rides, Ltd. requests common carrier authority to transport passengers in call-and-demand charter service and call-and demand shuttle service between all points in Park County, State of Colorado, and between said points on the one hand, and all points in the Counties of Summit, Denver, El Paso, Jefferson, Chaffee, Lake, Eagle, Clear Creek, Fremont, and Teller, State of Colorado, on the other hand.

3. The Commission noticed this application to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on March 29, 2021, for a period of 30 days.

4. The notice period expired on April 28, 2021. 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.

5. Pursuant to Rule 6203(a) of the Rules Regulating Transportation by Motor Vehicle, 4 *Code of Colorado Regulations* 723-6, the Commission finds that the information submitted with this application warrants the granting of the requested common carrier authority, and the present or future public convenience and necessity requires, or will require, the transportation service as requested.

6. The Commission also finds that Hey Rides, Ltd. is fit to perform the service as requested and this application for permanent authority is in the public interest.

7. Hey Rides, Ltd. is granted, subject to conditions, a Certificate of Public Convenience and Necessity (CPCN) to operate as a common carrier of passengers by motor vehicle for hire as set forth in Appendix A attached to this Decision, conditioned upon its full compliance with the requirements contained in this Decision.

8. If Hey Rides, Ltd. fails to comply with the prerequisites required by Ordering Paragraph No. 3 within 60 days of the effective date of the Decision, the requested CPCN will be deemed denied and Hey Rides, Ltd. will not be granted the requested permanent authority, the CPCN shall not be issued, and Hey Rides, Ltd. shall not be permitted to operate under the requested CPCN authority. No further action of the Commission is required.

9. For good cause shown, the Commission may grant additional time for compliance with Ordering Paragraph No. 3 if the request for additional time is filed within 60 days of the effective date of this Decision.

10. The Commission will notify Hey Rides, Ltd. in writing when the Commission's records demonstrate it has fully complied with the requirements of Ordering Paragraph No. 3. Hey Rides, Ltd. shall not begin operations without the receipt of written notification of compliance from the Commission.

II. ORDER

A. The Commission Orders That:

1. This application was deemed complete for purposes of § 40-6-109.5, C.R.S., on May 5, 2021.

2. The issuance of a Certificate of Public Convenience and Necessity (CPCN) to operate as a common carrier of passengers by motor vehicle for hire as set forth in Appendix A attached to this Decision is granted to Hey Rides, Ltd. subject to its full compliance with the requirements contained in Ordering Paragraph No. 3.

3. Hey Rides, Ltd. shall not be granted a CPCN and shall not commence operations until it has fully complied with the following conditions:

- (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 *Code of Colorado Regulations* (CCR) 723-6. The tariff shall be filed in a *new* Advice Letter/Tariff proceeding on not less than ten days' notice prior to the proposed effective date. In calculating the proposed effective date, the date the tariff is received at the Commission is not included in the notice period and the entire notice period must expire prior to the proposed effective date;

- (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://puc.colorado.gov/common-carriers>;
- (e) register an authorized representative as a File Administrator on behalf of Hey Rides, Ltd. in the Commission's electronic filing system (E-Filings) and agree that Hey Rides, Ltd. shall receive notifications electronically through E-Filings. Information regarding E-filings can be found at: www.dora.state.co.us/pls/efi/EFI.homepage; and
- (f) pay the applicable fee (\$5.00) for the issuance of the authority.

4. The CPCN shall not be issued and Hey Rides, Ltd. shall not operate under the requested CPCN authority unless it complies with all of the conditions in Ordering Paragraph No. 3.

5. If Hey Rides, Ltd. does not comply with each requirement in Ordering Paragraph No. 3, within 60 days of the effective date of this Decision, the CPCN is denied without further action of the Commission. 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 this Decision.

6. Hey Rides, Ltd. shall operate in accordance with all applicable statutes, orders, and rules of the Commission. The Commission may issue an order to cease and desist or to suspend, revoke, alter, or amend any certificate or permit for violation of, or refusal to observe any statute, order, or rule of the Commission, consistent with § 40-10.1-112(1), C.R.S.

7. 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 effective date of this Decision.

- 8. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
May 5, 2021.**

(S E A L)



ATTEST: A TRUE COPY



Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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JOHN GAVAN

MEGAN M. GILMAN

Commissioners