

Decision No. R24-0943-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 24A-0446CP-EXT

IN THE MATTER OF THE APPLICATION OF TAVA CAB LLC DOING BUSINESS AS TAVA CAB, TO EXTEND OPERATIONS UNDER CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 55994.

**INTERIM DECISION
GRANTING INTERVENTION AND SETTING
PREHEARING CONFERENCE**

Issued Date: December 24, 2024

I. STATEMENT

1. On October 16, 2024, Tava Cab LLC doing business as Tava Cab (“Tava Cab”) initiated the captioned proceeding by filing an application through its counsel seeking a Certificate of Public Necessity and Convenience to Operate as a Common Carrier by Motor Vehicle for Hire (“Application”) with the Colorado Public Utilities Commission (“Commission”).

2. On October 28, 2024, the Commission provided public notice of the application by publishing a summary of the same in its Notice of Applications Filed:

Currently, CPCN No. 55994 authorizes the following:

Transportation of passengers in call-and-demand taxi service:

between all points in Teller County, and between said points on the one hand, and all points in the Counties of Denver, Douglas, El Paso, Fremont, Park, and Pueblo, on the other hand.

Restriction:

This certificate is restricted against providing any taxi service that originates in El Paso County

If the extension is granted, CPCN No. 55994 will read:

1. Transportation of passengers in call-and-demand taxi service between all points in Teller County, and between said points on the one hand, and all points in the Counties of Denver, Douglas, El Paso, Fremont, Park, and Pueblo, on the other hand.

Restriction:

This portion of said certificate is restricted against providing any taxi service that originates in El Paso County.

2. Transportation of passengers in call-and-demand taxi service from Colorado Springs Peterson Field Airport, aka City of Colorado Springs Municipal Airport, 7770 Milton E. Proby Pkwy, Colorado Springs, El Paso County, CO 80916, on the one hand, to all points in Teller County, Colorado, on the other hand.

3. Transportation of passengers in call-and-demand taxi service from the communities of Cascade, Chipita Park, and Green Mountain Falls, including all points within one mile of the town limits of Cascade, Chipita Park, and Green Mountain Falls, all located in El Paso County, Colorado, on the one hand, to all points in Teller County, Colorado, on the other hand.

4. Transportation of passengers in call-and-demand shuttle service between Colorado Springs Peterson Field Airport, aka City of Colorado Springs Municipal Airport, 7770 Milton E. Proby Pkwy, Colorado Springs, El Paso County, CO 80916, on the one hand, and the communities of Cascade, Chipita Park, and Green Mountain Falls, including all points within one mile of the town limits of Cascade, Chipita Park, and Green Mountain Falls, all located in El Paso County, Colorado, on the other hand.

3. On November 27, 2024, Pikes Peak Cab LLC doing business as Pikes Peak Transport (“Pikes Peak”) filed its Petition for Intervention through Marcos Griego and Tamara Zvonkovich, the owners of Pikes Peak. This filing attached Commission Authority No. 55884 held by Pikes Peak.

4. On December 11, 2024, the Commission deemed the application complete and referred it by minute entry to the undersigned Administrative Law Judge (“ALJ”) for disposition.

II. INTERVENTIONS

5. Finding good cause, and in the absence of any objection from Applicant, the ALJ finds that the intervenor has established its standing as an intervenor in accordance with the Commission’s Rules of Practice and Procedure.

III. LEGAL REPRESENTATION

6. Under Rule 1201(b) 4 CCR 723-1, a party in an adjudicatory proceeding before the Commission shall be represented by an attorney *unless* the party is an individual appearing for the sole purpose of representing her/his own interests or for purposes of representing the interests of a closely held entity pursuant to § 13-1-127, C.R.S. The Commission has emphasized that this requirement is mandatory and has found that if a party does not meet the criteria of this rule a non-attorney may not represent a party in such a proceeding. *See, e.g.*, Decisions No. C05-1018, Proceeding No. 04A-524W issued August 30, 2005; No. C04-1119, Proceeding No. 04G-101CP issued September 28, 2004; and No. C04-0884, Proceeding No 04G-101CP issued August 2, 2004.

7. Pikes Peak, in its Intervention, identified Marcos Griego and Tamara Zvonkovich as the owners of Pikes Peak, stated the amount in controversy does not exceed \$15,000 and Pikes Peak is a closely held entity. Pikes Peak requests that Marcos Griego represent the interests of Pikes Peak. Having met the requirements of Rule 1201(b) 4 CCR 723-1, Marcos Griego may represent the interests of Pikes Peak in this proceeding.

8. A party allowed to proceed *pro se* (that is, without an attorney) in this matter, is advised, and is on notice, that its representative will be bound by the same procedural and evidentiary rules as an attorney.

IV. REMOTE PREHEARING CONFERENCE

9. Given the procedural posture of the case, it is appropriate to hold a prehearing conference to address several issues. The parties to this proceeding should be prepared to discuss all procedural and substantive issues, including, but not limited to, deadlines for witness lists, exhibits, and a date(s) for a hearing on the Application.

10. Participants will appear at the prehearing conference from remote locations by videoconference and may not appear in person for the prehearing conference. The remote prehearing conference will be held using the web-hosted service, Zoom. Attachment A hereto includes important technical information and requirements to facilitate holding the prehearing conference remotely. All those participating in the hearing must carefully review and follow all requirements in this Decision and Attachment A.

11. To minimize the potential that the videoconference hearing may be disrupted by non-participants, the link and meeting ID or access code to attend the hearing will be provided to the participants by email before the hearing, and the participants will be prohibited from distributing that information to anyone not participating in the hearing. Parties will receive an email with information needed to join the hearing at the email addresses on file with the Commission for this Proceeding. As such, it is important that all parties ensure that the Commission has the correct email address for them.

12. Parties are on notice that failure to appear at the prehearing conference may result in dismissing the Application without prejudice or dismissing an intervention. The ALJ will deem

any party's failure to appear at the prehearing conference to be a waiver of any objection to the rulings made during the prehearing conference.

13. A prehearing conference in this matter will be scheduled as ordered.

V. ORDER

A. It Is Ordered That:

1. The intervention of Pikes Peak Cab LLC doing business as Pikes Peak Transport is granted.

2. A prehearing conference in this proceeding is scheduled as follows:

DATE: January 21, 2025

TIME: 11:00 a.m.

PLACE: Join by videoconference using Zoom

3. Participants in the hearing may not distribute the hearing link, access, or ID code to anyone not participating in the hearing. Participants may not appear in person at the Commission for the above-scheduled hearing. Instead, they must participate in the hearing from remote locations, consistent with the requirements of this Decision.

4. All participants must comply with the requirements in Attachment A to this Decision, which is incorporated into this Decision.

5. The Parties shall be held to the advisements in this Decision.

6. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ROBERT I. GARVEY

Administrative Law Judge

ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Rebecca E. White".

Rebecca E. White,
Director