

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 24A-0401BP

IN THE MATTER OF THE APPLICATION OF MEDRIDE, LLC FOR A PERMIT TO OPERATE
AS A CONTRACT CARRIER BY MOTOR VEHICLE FOR HIRE.

**RECOMMENDED DECISION APPROVING SETTLEMENT
AND GRANTING APPLICATION UNDER MODIFIED
PROCEDURE, AND CLOSING PROCEEDING**

Mailed Date: June 6, 2025

I. STATEMENT

1. On September 20, 2024, MedRide LLC (“MedRide” or “Applicant”) filed an application for a permit to operate as contract carrier by motor vehicle for hire.

2. On September 27, 2024, MedRide filed an amended application for a permit to operate as contract carrier by motor vehicle for hire (the “Application”).

3. The Application was noticed on October 8, 2024, as follows:

For authority to operate as a contract carrier by motor vehicle for hire for the

(I) Transportation of Mesa County Valley School District No. 51 students and staff in contracted medical shuttle service between all points in Mesa County, and between said points, on one hand, and all points in the State of Colorado, on the other hand.

(II) Transportation of VOANS Senior Community Care of Colorado participants in contracted medical shuttle service between all points in Delta County, and between said points, on one hand, and all points in the State of Colorado, on the other hand.

(III) Transportation of VOANS Senior Community Care of Colorado participants in contracted medical shuttle service between all points in Mesa

County, and between said points, on one hand, and all points in the State of Colorado, on the other hand.

(IV) Transportation of VOANS Senior Community Care of Colorado participants in contracted medical shuttle service between all points in Montrose County, and between said points, on one hand, and all points in the State of Colorado, on the other hand.

(V) Transportation of patients of St. Mary's Regional Hospital (operated by IHG Health Services) in contracted medical shuttle service between all points in Mesa County, and between said points, on one hand, and all points in the State of Colorado, on the other hand.

RESTRICTION: This application is restricted to providing transportation services for (a) Mesa County Valley School District No. 51; (b) VOANS Senior Community Care of Colorado, Inc.; (c) St. Mary's Regional Hospital, operated by IHC Health Services, Inc.

4. On November 26, 2024, Tazco, Inc., doing business as Sunshine Taxi ("Sunshine Taxi") filed its Notice of Intervention by Right, Entry of Appearance of Tazco Inc, and Request for Hearing. Sunshine Taxi is the owner of Certificate of Public Convenience and Necessity PUC No. 19429. Sunshine Taxi states that the geographic scope of the authority requested by MedRide duplicates and overlaps its authority.

5. On November 13, 2024, the Commission referred this proceeding to an administrative law judge (ALJ) by Minute Order.

6. By Decision No. R24-0841-I, issued November 19, 2024, a prehearing conference was scheduled, and outstanding motions were addressed.

7. By Decision No. R24-0902-I, issued December 11, 2024, procedures were adopted to govern this proceeding and a hearing was scheduled.

8. By Decision No. R25-0231-I, issued March 27, 2025, MedRide's waiver of the applicable statutory period in § 40-6-109.5 was acknowledged and the stipulated request of the parties to continue the hearing was granted.

9. On April 25, 2025, the Stipulated Motion to Withdraw Intervention (“Stipulated Motion”) was filed by MedRide and Sunshine Taxi. The motion clarifies that the Amended Application was filed to provide additional detail based upon feedback received from the Commission.

10. Referring to Decision No. C24-0735, issued on October 11, 2024, in Proceeding No. 24A-0402BP-ETA, the Parties state:

the Commission held that the following types of medical shuttle service that MedRide proposed to provide to Prospective Customers ... are not types of service regulated by the Commission or requiring the authority thereof: (a) medical shuttle service for Medicaid residents from SCCCO PACE and Medicaid patients from SMRH; (b) medical shuttle service for any SCCCO PACE residents and SMRH patients by motor vehicles designed and used for the nonemergency transportation of individuals with disabilities (i.e., wheelchair-accessible vehicles); and (c) medical shuttle service for all students and staff from MVSD, as a political subdivision (footnotes omitted).

11. The Parties further identify MedRide’s proposed contract service to provide medical transportation that remains subject to the Commission’s jurisdiction, namely the transportation of passengers who are not covered by Medicaid, in non-wheelchair accessible vehicles, and who are either participants of VOANS Senior Community Care of Colorado, Inc., or patients of St. Mary’s Regional Hospital. Accordingly, the parties agree that these proposed services remain subject to the Commission’s regulation.

12. The Parties engaged in settlement discussions to resolve their differences culminating in the Contract Carrier Intervention Settlement Agreement, attached to the Stipulated Motion and hereto as Appendix A. The parties request approval of the Settlement Agreement. Based thereupon, Sunshine Taxi withdraws its intervention.

13. In part, the Parties agree:

In order to compromise on, resolve, and settle the Intervention, each Party agrees that: A) It shall not, on a going-forward basis, in perpetuity, intervene in, challenge, or otherwise file any pleadings or notices not in support of any application (or amendment thereto or extension thereof) that the other Party submits to the Commission to obtain a permit to operate as a contract carrier by motor vehicle for hire, and B) Both parties shall not make disparaging, derogatory, critical or negative statements, advertisements or other communications about the other carrier to contracting organizations (actual or potential), riders, the public, the PUC, HCPF, and any others privately or otherwise. In exchange for MedRide's promises in the immediately preceding sentence, Sunshine Rides agrees to have the Intervention withdrawn by the Commission.

14. There are notable considerations that must be foundationally recognized. Without making a determination, the obligations undertaken by the Parties likely may exceed the Commission's jurisdiction. Thus, no finding is made as to the future enforceability of the entire scope of the agreement before this Commission or otherwise. Additionally, finding the agreement reasonable to resolve their dispute in this proceeding and approving it does not bind any future Commission. Finally, the scope of this application is limited to a permit to provide contract carriage.

15. Applications to Operate as a Common or Contract Carrier are governed by Rule 6203 of the Rules Regulating Transportation by Motor Vehicle, 4 CCR 723-6. In part, Applicant must show that the proposed service is superior, special, or distinctive in nature, tailored to the potential customer's distinct need.¹

16. The Application having been properly noticed, only Sunshine Taxi intervened. Now, Sunshine Taxi is sufficiently satisfied as to their interests in this proceeding to enter into the

¹ See also § 40-10.1-202, C.R.S., which provides in relevant part that “[n]o permit ... shall be granted by the commission if, in the commission's judgment, the proposed operation of any such contract carrier will impair the efficient public service of any authorized common carrier then adequately serving the same territory over the same general highway route.”

agreement with MedRide. The Parties' have resolved their differences. Because that agreement is reasonable as relevant to this proceeding, it will be approved, and Sunshine Taxi's intervention will be withdrawn. The interests of Sunshine Taxi in this proceeding have been satisfied.

17. Withdrawal of the intervention and dismissal of Sunshine Taxi leaves the Application uncontested. Pursuant to § 40-6-109(5), C.R.S., and Rule 1403 of the Rules of Practice and Procedure, 4 *Code of Colorado Regulations* (CCR) 723-1, the uncontested application may be processed under the modified procedure, without a formal hearing.

18. In accordance with § 40-6-109, C.R.S., the ALJ now transmits to the Commission the record in this proceeding along with a written recommended decision.

II. FINDINGS AND CONCLUSIONS

19. Applicant is a Colorado limited liability company in good standing.

20. Applicant asks that the Commission issue to it a permit to operate as a contract carrier by motor vehicle for hire as noticed on October 8, 2024.

21. The verified Application establishes that Applicant is familiar with the Rules Regulating Transportation by Motor Vehicle, 4 CCR 723-6, and agrees to be bound by, and to comply with, those rules as applicable to it. The verified Application and its supporting documentation establish that Applicant has sufficient equipment with which to render the proposed service and is financially fit to conduct operations under the authority requested. In addition, the verified Application establishes that the service proposed is specialized and tailored to meet the customer's distinct needs. Finally, review of the verified Application indicates a need for the proposed service. Therefore, because the Applicant is fit, financially and otherwise to perform the proposed service and because the other prerequisites have been met, the permit should be granted.

22. Having determined that a permit should be granted to MedRide, the ALJ also finds and concludes that, pursuant to § 40-10.1-202(b), C.R.S., the permit should be subject to the conditions set out below in the Ordering Paragraphs.

23. In accordance with § 40-6-109, C.R.S., the ALJ recommends that the Commission enter the following order.

III. ORDER

A. The Commission Orders That:

1. The Contract Carrier Intervention Settlement Agreement attached to the Stipulated Motion to Withdraw Intervention (“Stipulated Motion”) as Exhibit A, and hereto as Appendix A, filed by MedRide LLC (“MedRide” or “Applicant”), and Tazco, Inc., doing business as Sunshine Taxi (“Sunshine Taxi”) on April 25, 2025, is approved.

2. The Stipulated Motion is granted. The intervention of Sunshine Taxi is withdrawn and Sunshine Taxi is dismissed from the proceeding.

3. The Application for New Permanent Authority to Operate as a Contract Carrier of Passengers by Motor Vehicle for Hire filed on September 20, 2024 by MedRide, as that application has been amended on September 27, 2024, is granted.

4. MedRide is granted a Permit to operate as a contract carrier by motor vehicle for hire for the:

Transportation of

passengers

(I) between all points in Mesa County, and between said points, on one hand, and all points in the State of Colorado, on the other hand;

(II) between all points in Delta County, and between said points, on one hand, and all points in the State of Colorado, on the other hand; and

(III) between all points in Montrose County, and between said points, on one hand, and all points in the State of Colorado, on the other hand.

RESTRICTIONS: This application is restricted:

Item (I) of this permit is restricted to providing contracted medical shuttle service for:

(A) passengers who are participants of VOANS Senior Community Care of Colorado, Inc., 2377 Robins Way, Montrose, CO 81401; and 11485 Highway 65, Eckert, CO 81418; and

(B) for passengers who are patients of St. Mary's Regional Hospital, operated by IHG Health Services, Inc., 2635 North 7th Street, Grand Junction, CO 81501.

Items (II) and (III) of this permit is restricted to providing contracted medical shuttle service for passengers who are participants of VOANS Senior Community Care of Colorado, Inc., 2377 Robins Way, Montrose, CO 81401; and 11485 Highway 65, Eckert, CO 81418.

5. All operations under the contract carrier permit granted by Ordering Paragraph No. 4 shall be strictly contract operations. The Commission retains jurisdiction to make such amendments to this contract carrier permit as the Commission deems advisable.

6. The authority granted in ordering paragraph no. 4 is conditioned upon MedRide meeting the requirements contained in this Recommended Decision.

7. MedRide shall not commence operation until it has complied with the requirements of Colorado law and Commission rule, 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 ten 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;

- (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/contract-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; and
- (f) pay the applicable fee (\$5.00) for the issuance of the authority.

8. The contract carrier permit shall not be issued, and Applicant shall not operate under the requested contract carrier authority unless Applicant complies with all of the conditions in Ordering Paragraph No. 4.

9. If Applicant does not comply with each requirement in Ordering Paragraph No. 4, within 60 days of the effective date of this Decision, the contract carrier permit 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.

10. Applicant 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.

11. Proceeding No. 24A-0401BP is closed

12. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if that is the case, and is entered as of the date above.

13. As provided by § 40-6-109, C.R.S, copies of this Recommended Decision shall be served upon the parties, who may file exceptions to it.

- a. If no exceptions are filed within 20 days after service or within any extended period of time authorized, or unless the decision is stayed by the Commission upon its own motion, the recommended decision shall become the decision of the Commission and subject to the provisions of § 40-6-114, C.R.S.
- b. If a party seeks to amend, modify, annul, or reverse basic findings of fact in its exceptions, that party must request and pay for a transcript to be filed, or the parties may stipulate to portions of the transcript according to the procedure stated in § 40-6-113, C.R.S. If no transcript or stipulation is filed, the Commission is bound by the facts set out by the administrative law judge and the parties cannot challenge these facts. This will limit what the Commission can review if exceptions are filed.

14. If exceptions to this Decision are filed, they shall not exceed 30 pages in length, unless the Commission for good cause shown permits this limit to be exceeded.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

G. HARRIS ADAMS

Administrative Law Judge

ATTEST: A TRUE COPY

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

Rebecca E. White,
Director