

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 24A-0227CP-ETA

IN THE MATTER OF THE APPLICATION OF OUTLAW RANCH, LLC DOING BUSINESS AS VAIL STABLES FOR EMERGENCY TEMPORARY AUTHORITY TO OPERATE AS A COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.

**COMMISSION DECISION GRANTING
EMERGENCY TEMPORARY AUTHORITY**

Mailed Date: June 6, 2024

Adopted Date: June 5, 2024

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On May 22, 2024, Outlaw Ranch, LLC doing business as Vail Stables (Vail Stables), filed an application for emergency temporary authority to operate as a common carrier of passengers by motor vehicle for hire for 30 days.

2. The emergency temporary authority requested by Vail Stables is:

Transportation of passengers in call-and-demand shuttle service between Vail Stables, 915 Spraddle Creek Road, Vail Colorado, on the one hand, and all hotels located within a 3-mile radius of Vail Stables, 915 Spraddle Creek Road, Vail Colorado, and the Vail Transportation Center, on the other hand.

3. Pursuant to § 40-10.1-204(1), C.R.S., the Commission is authorized to grant temporary authority only when “there appears to be an immediate and urgent need to any point or within a territory having no such service capable of meeting the need.” Section 40-10.1-204(4), C.R.S., further states: “If the Commission determines that an emergency exists, it may issue temporary authority or approval at once by making specific reference in its order to the

circumstances constituting the emergency, in which case no notice need be given, but any such emergency authority or approval expires no later than thirty days after it was issued."

4. Vail Stables must meet a two-fold test: first, that there is an emergency need for the transportation services, and second, that there is no existing carrier capable of meeting the need. If Steamboat Taxi fails to meet either test, the application must be denied.

5. Letters of support for this application were submitted by an employee of the Sonnenalp Hotel and the manager of the Town of Vail's Welcome Centers and Host Program.

6. The concierge of the Sonnenalp Hotel wrote:

Vail Stables has consistently provided horseback riding experiences to many of our hotel guests over the years and they recently acquired a passenger van capable of moving guests from the Vail Village transportation Center to their Stables. I believe this would be a tremendous addition to their service and enhance the guest service experience for our Vail guests. Please consider approving their proposed shuttle as I believe the need is present and would be greatly appreciated.

7. The manager of the Town of Vail's Welcome Center wrote:

There is a strong need for transportation to and from the Vail Stables. At the Welcome Centers and throughout town we encourage guests not to drive, this aligns with the Town of Vail Climate Action Plan. Vail has adopted the goals of the 2020 Climate Action Plan Update for Eagle County, which include a 25% reduction in greenhouse gas emissions by 2025 compared to the 2014 baseline inventory, a 50% reduction in emissions by 2030 and an 80% reduction by 2050. The Vail Stables providing transportation aligns with this goal. The Vail Stables are located outside of the town's boundaries and require transportation. Being a mountain town, there are not many taxi and ride share options (uber/lyft) available. The Vail Stables is also the closest stables to the Town of Vail and being a resort town – the Vail Stables are a crucial and expected outdoor experience for our guests.

8. In consideration of the information submitted by the owner of the Vail Stables and the authors of the support letters, the Commission finds that an immediate and urgent need for the requested transportation services has been shown to exist.

9. The Commission also finds that Vail Stables has adequate equipment and financial resources to begin immediate service within the scope of the authority sought, and the application for temporary authority is in the public interest.

10. Vail Stables is advised that the grant of a emergency temporary authority creates no presumption that a permanent authority will be granted.

II. ORDER

A. The Commission Orders That:

1. The application for emergency temporary authority filed on May 22, 2024, by Outlaw Ranch, LLC, doing business as Vail Stables (Vail Stables) is granted.

2. Vail Stables is granted emergency temporary authority to conduct operations as a common carrier by motor vehicle for hire for a period of 30 days commencing from the Mailed Date of this Decision, with authority as set forth in Appendix A attached to this Decision.

3. Vail Stables shall operate in accordance with all applicable Colorado laws and Commission rules.

4. Vail Stables shall not commence operation until it has complied with the requirements of Colorado laws and Commission rules, including without limitation:

- (a) causing proof of insurance (Form E or self-insurance) or surety bond (Form G) coverage to be filed with the Commission;
- (b) paying 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) having an effective tariff on file with the Commission; Vail Stables shall file an advice letter and tariff on not less than one day's notice. The advice letter and tariff shall be filed as a new Advice Letter proceeding and shall comply with all applicable rules. 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 effective date;

- (d) submitting a current Annual Vehicle Inspection Report for each vehicle to be operated under the authority [the inspection must be done by an inspector who meets the qualification requirements in 49 *Code of Federal Regulations* § 396.19; and, the inspection must show that the vehicle passed the inspection]; and,
- (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) paying the applicable issuance fee (\$5.00).

5. If Vail Stables does not comply with the requirements of this Decision within 30 days of its effective date, then the emergency temporary authority shall be void. For good cause shown, the Commission may grant additional time for compliance if the request for additional time is filed within the 30 days.

6. The Commission will notify Vail Stables in writing when the Commission's records demonstrate compliance with Ordering Paragraph No. 4.

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 Commission mails or serves this Decision.

8. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
June 5, 2024.**

(S E A L)



ATTEST: A TRUE COPY

Rebecca E. White,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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MEGAN M. GILMAN

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Commissioners