

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 24A-0228CP

IN THE MATTER OF THE APPLICATION OF OUTLAW RANCH, LLC DOING BUSINESS AS VAIL STABLES 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**

Issued Date: July 9, 2024

Adopted Date: July 3, 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 new permanent authority to operate as a common carrier of passengers by motor vehicle for hire. Vail Stables filed an amendment to the application on May 28, 2024. In the amendment Vail Stables requested that the proposed type of authority be revised from “scheduled service and shuttle service” to “shuttle service”.

2. Vail Stables, in this application requests common carrier authority to:

Transport 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. The Commission noticed this application to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on May 28, 2024, for a period of 30 days.

4. The notice period expired on June 27, 2024. No petition to intervene or otherwise participate in this proceeding has been filed. Therefore, this proceeding is uncontested and pursuant to § 40-6-109(5), C.R.S., 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 Vail Stables is fit to perform the service as requested and this application for permanent authority is in the public interest.

7. Vail Stables 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 Vail Stables 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 Vail Stables will not be granted the requested permanent authority, the CPCN shall not be issued, and Vail Stables 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 Vail Stables in writing when the Commission's records demonstrate it has fully complied with the requirements of Ordering Paragraph No. 3. Vail Stables shall not begin operations without the receipt of written notification of compliance from the Commission.

II. ORDER

A. The Commission Orders That:

1. The Application, filed by Outlaw Ranch, LLC, doing business as Vail Stables ("Vail Stables") is deemed complete, for purposes of Section § 40-6-109.5, C.R.S.

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 Vail Stables, subject to its full compliance with the requirements named in Ordering Paragraph No. 3.

3. Vail Stables 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 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) register an authorized representative as a File Administrator on behalf of Vail Stables in the Commission's electronic filing system ("E-Filings") and agree

that Vail Stables 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 Vail Stables shall not operate under the requested authority unless it complies with all of the conditions in Ordering Paragraph No. 3.

5. If Vail Stables 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. Vail Stables 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 Issued Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
July 3, 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