

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 23A-0110CP

IN THE MATTER OF THE APPLICATION HIGH COUNTRY CHAUFFEURS LLC FOR A
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A
COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
AVIV SEGEV
SCHEDULING PREHEARING CONFERENCE**

Mailed Date: May 5, 2023

I. STATEMENT

A. Procedural Background

1. On March 23, 2023, High Country Chauffeurs LLC (High Country or Applicant) filed with the Commission its Permanent Authority Application (Application), through which Applicant seeks a Certificate of Public Convenience and Necessity (CPCN) to operate as a common carrier by motor vehicle for hire. This filing commenced Proceeding No. 23A-0110CP.

2. On March 6, 2023, the Commission issued a Notice of Applications and Petitions Filed (Notice). The Notice set procedural deadlines, established a 30-day intervention period, and gave notice of the Application for the following authority:

For authority to operate as a common carrier by motor vehicle for hire for the transportation of passengers in call-and-demand taxi service between all points within a 5-mile radius of the intersection of 12th Street and Lincoln Avenue in Steamboat Springs, Colorado, and between said points, on the one hand, and all points within a 50-mile radius of the intersection of 12th Street and Lincoln Avenue in Steamboat Springs, Colorado, on the other hand.

3. On April 5, 2023, NDW Enterprises LLC d/b/a Ski Town Transportation (Ski Town) filed its Petition for Leave to Intervene (Motion to Intervene).

4. On April 12, 2023, the Commission, via a minute entry, deemed the Application complete and referred Proceeding No. 23A-0110CP to an Administrative Law Judge (ALJ) for disposition.

B. Remote Prehearing Conference

1. In anticipation of an evidentiary hearing, the undersigned ALJ will schedule a prehearing conference in accordance with Rule 1409(a) of the Rules of Practice and Procedure, 4 *Code of Colorado Regulations* 723-1. Accordingly, a remote prehearing conference shall be scheduled as ordered below. The remote prehearing conference will be conducted over the Zoom videoconferencing platform. The ALJ or a member of Commission Staff will email the log-in information in advance of the hearing.

2. High Country shall confer with Ski Town in advance of the remote prehearing conference regarding a schedule for this proceeding, any discovery procedures that are inconsistent with the Commission's rules governing discovery, and the method by which the hearing should be conducted. The Commission can conduct in-person, remote, or hybrid hearings. A remote hearing is one in which all the participants appear and participate from remote locations over the Zoom web conferencing platform. A hybrid hearing involves the ALJ and at least one party and/or witness participating from one of the Commission's hearing rooms in Denver, and the remaining party(ies) and witness(es) participating from one or more remote locations using the Zoom web conferencing platform. An in-person hearing is one in which the ALJ and all parties and witnesses participate in the hearing at the same location. **Note:** A webcast of proceedings through the

Commission's website is only available for hearings originating at the Commission's offices (i.e., hybrid or in person) or fully remote.¹

3. High Country shall file a report of the results of the conferral. If there is agreement on a schedule, including dates for the hearing, discovery procedures that are inconsistent with the Commission's rules governing discovery, and/or the method for conducting the hearing (e.g., remote, hybrid, or in-person), the report shall state as much and detail the stipulated procedural schedule, discovery procedures, and/or method for conducting the hearing. If no agreement is achieved, the report shall state as much and identify the competing schedules, discovery procedures, and/or methods for conducting the hearing proposed by the parties. The parties are on notice that the ALJ will retain the discretion to adopt procedures governing the proceeding.

4. The parties are urged to review the Commission's public calendar to identify suitable days for the hearing in this proceeding and propose more than one date or consecutive dates for the hearing.

5. High Country and Ski Town must appear at the remote prehearing conference. Failure to attend or to participate in the remote prehearing conference is a waiver of any objection to the rulings made, to the procedural schedule established, and to the hearing dates scheduled during the remote prehearing conference.

II. ORDER

A. It Is Ordered That:

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

DATE: May 16, 2023

TIME: 9:00 A.M.

¹ Thus, a webcast of the prehearing conference will be available through the Commission's website, unless it is vacated by separate decision.

WEBCAST: Hearing Room B

METHOD: Join by video conference using Zoom at the link to be provided in an email from the Administrative Law Judge.

2. No one should appear in-person for the remote prehearing conference.
3. High Country Chauffeurs LLC shall file the report of the conferral identified above on or before May 15, 2023.
4. This Decision shall be effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

AVIV SEGEV

Administrative Law Judge

ATTEST: A TRUE COPY

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

Rebecca E. White,
Director