

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 23A-0599CP

IN THE MATTER OF THE APPLICATION CARING HANDS TRANSPORT, LLC DOING BUSINESS AS CARING HANDS COMMUNITY SERVICES, 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
ALENKA HAN
ADDRESSING INTERVENTIONS AND LEGAL
REPRESENTATION, AND SCHEDULING REMOTE
PREHEARING CONFERENCE**

Mailed Date: April 1, 2024

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I. STATEMENT AND PROCEDURAL HISTORY

A. Summary

1. This Decision addresses interventions and representation before the Commission, and schedules a remote prehearing conference for Tuesday, April 16, 2024, at 10:30 a.m. to move this matter forward.

B. Procedural History

2. On December 11, 2023, Caring Hands Transport, LLC, doing business as Caring Hands Community Services (Caring Hands or Applicant) initiated this matter by filing an Application for New Permanent Authority to Operate as a Common Carrier Under a Certificate of Public Convenience and Necessity.¹ Caring Hands seeks to provide scheduled shuttle service for its senior clients and clients with special needs to and from its day program facility. Caring Hands seeks to provide such service to and from the Counties of Adams, Boulder, Broomfield, Denver, Douglas, Jefferson, Larimer, Logan, Weld, Yuma, Pueblo, Morgan, Park, Mesa, Jackson, Lake, Gilpin, Elbert, Fremont, Garfield, and Grand.²

3. Caring Hands' Application was signed and submitted by its Director, Matthew Staffiero. The Application requests that Staffiero be permitted to represent Caring Hands in this Proceeding.³

¹ Application for New Permanent Authority to Operate as a Common Carrier, p. 1, filed Dec. 11, 2023.

² *Id.* at p. 3.

³ *Id.* at p. 7.

4. On December 20, 2023, Caring Hands filed an amendment to its Application, clarifying that it prefers that any hearing pertaining to its Application be held in Denver, Colorado.

5. On December 26, 2023, the Public Utilities Commission (the Commission) provided public notice under § 40-6-108(2), C.R.S., of the Application. As noticed, the Application seeks:

Authority to operate as a common carrier by motor vehicle for hire for the transportation of passengers in scheduled service between all points in the Counties of Adams, Boulder, Broomfield, Denver, Douglas, Jefferson, Larimer, Logan, Weld, Yuma, Pueblo, Morgan, Park, Mesa, Jackson, Lake, Gilpin, Elbert, Fremont, Garfield, and Grand, State of Colorado.⁴

The Notice of Applications and Petitions Filed also indicated that Applicant Caring Hands had not filed testimony with its Application and was seeking a Commission decision within 250 days.

6. Four entities subsequently submitted their Interventions:

- a) On January 2, 2024, Mountain Star Transportation LLC, doing business as Explorer Tours (Explorer Tours), filed its Petition for Intervention and Entry of Appearance, submitted by Explorer Tours' president and owner, Roman Lysenko.
- b) Thereafter, on January 24, 2024, several entities represented by Mark Valentine of Keyes & Fox, LLP, filed a joint Notice of Intervention by Right, Alternative Motion for Intervention, Entry of Appearance, and Request for Hearing. The entities jointly seeking to intervene are: Tazco, Inc. (Tazco); Estes Park Charters, Corp. (Estes Park); and Home James Transportation Services, Ltd. (Home James) (collectively referred to as the Tazco Intervenors).

7. On January 31, 2024, the Commission deemed the Application complete and referred the matter to an Administrative Law Judge (ALJ) by minute entry for disposition. The Proceeding was subsequently assigned to the undersigned ALJ.

⁴ Notice of Application and Petitions Filed, p. 2, filed Dec, 26, 2023.

II. INTERVENTIONS

8. Four entities have either intervened as of right or moved to permissively intervene in this Proceeding. All filed copies of their respective PUC Letters of Authority with their Interventions, thereby meeting one of the criteria for asserting an Intervention as of right. Each entity's Intervention will be addressed in turn below.

A. **Relevant Law**

9. Two classes of parties may intervene in proceedings such as this: parties with a legally protected right that may be impacted by the proceeding (intervention of right), and parties with pecuniary or tangible interests that may be substantially impacted by the proceeding and would not otherwise be adequately represented (permissive intervention).⁵

10. To intervene of right, a carrier's intervention must: state the basis for the claimed legally protected right that may be impacted by the proceeding; include a copy of the carrier's authority; show that the carrier's authority is in good standing; identify the specific parts of the authority that are in conflict with the application; and explain the consequences to the carrier and the public interest if the application is granted.⁶ A carrier's letter of authority provides the basis for the legally protected right which an intervenor claims may be impacted by the proceeding. Thus, it is important to determine whether the intervenor's letter of authority shows that it has the right to operate in a manner that may be impacted by an application's requested authority.

11. Commission Rule 1401(c) of the Rules of Practice and Procedure, 4 *Code of Colo. Regulations* (CCR) 723-1, requires persons seeking permissive intervention to show the following:

⁵ 4 CCR 723-1401(b) and (c) of the Commission's Rules of Practice and Procedure, 4 *Code of Colo. Regulations* (CCR) 723-1; *see also* § 40-6-109(a), C.R.S.; and *RAM Broad. of Colo. Inc., v. Pub. Utils. Comm'n*, 702 P.2d 746, 749 (Colo. 1985) ("This provision creates two classes that may participate in [Commission] proceedings: those who may intervene as of right and those whom the Commission permits to intervene.").

⁶ Rule 1401(b) and (f)(I), 4 CCR 723-1.

A motion to permissively intervene shall state the specific grounds relied upon for intervention; the claim or defense within the scope of the Commission's jurisdiction on which the requested intervention is based, including the specific interest that justifies intervention; and why the filer is positioned to represent that interest in a manner that will advance the just resolution of the proceeding. The motion must demonstrate that the subject proceeding may substantially affect the pecuniary or tangible interests of the movant (or those it may represent) and that the movant's interests would not otherwise be adequately represented. . . . The Commission will consider these factors in determining whether permissive intervention should be granted. Subjective, policy, or academic interest in a proceeding is not a sufficient basis to intervene. Anyone desiring to respond to the motion for permissive intervention shall have seven days after service of the motion, or such lesser or greater time as the Commission may allow, in which to file a response. The Commission may decide motions to intervene by permission prior to expiration of the notice period.

12. The requirement in Rule 1401(c) requiring persons or entities seeking permissive intervention in a proceeding to demonstrate that their interests "would not otherwise be adequately represented" is similar to Colorado Rule of Civil Procedure 24(a), which provides that even if a party seeking intervention in a case has sufficient interest in the case, intervention is not permitted if the interest is adequately represented by the existing parties.⁷ This is true even if the party seeking intervention will be bound by the case's judgment.⁸ The test for adequate representation is whether there is an identity of interests, rather than a disagreement over the discretionary litigation strategy of the representative. The presumption of adequate representation can be overcome by evidence of bad faith, collusion, or negligence on the part of the representative.⁹

B. Discussion, Findings, and Conclusions

13. As noted above, Explorer Tours filed its petition to intervene on January 2, 2024, and the Tazco Intervenor followed suit by filing their joint intervention as of right or motion to

⁷ See *Clubhouse at Fairway Pines, L.L.C. v. Fairway Pines Owners Ass'n*, 214 P.3d 451, 457 (Colo. App. 2008).

⁸ See *Denver Chapter of the Colo. Motel Ass'n v. City & Cnty. of Denver*, 374 P.2d 494, 495-96 (Colo. 1962) (affirming the denial of an intervention by certain taxpayers because their interests were already represented by the city).

⁹ *Id.*; *Estate of Scott v. Smith*, 577 P.2d 311, 313 (Colo. App. 1978).

intervene on January 24, 2024. As of the date of this Decision, Caring Hands has not filed any response objecting to the interventions of Explorer Tours, Tazco, Estes Park, or Home James.

14. A party responding to a motion to permissively intervene must file its responsive pleading within “seven days after service of the motion.”¹⁰

15. All Intervenors served Caring Hands electronically. Thus, any response to Explorer Tours’ intervention was due on or before January 9, 2024, and any response to the Tazco Intervenors’ intervention was due on or before January 31, 2024.

16. An uncontested motion such as the Intervenors’ motions to intervene may be deemed confessed.¹¹ Because Caring Hands has not objected to the Intervenors’ intervention in this Proceeding, to the extent Intervenors moved to permissively intervene, the motions are deemed confessed.

17. The ALJ also notes that all four entities seeking to intervene in this Proceeding filed copies of their respective Letters of Authority with their interventions.

1. Explorer Tours

18. Explorer Tours holds PUC No. 55952, which authorizes it to provide “call-and-demand sightseeing service originating in Denver and Boulder Counties” to all points in the Counties of Denver, Boulder, Clear Creek, Douglas, El Paso, Grand, Jefferson, and Larimer.¹² In addition, Explorer Tours is authorized to provide call-and-demand shuttle service between Denver County on the one hand, and Eagle and Pitkin Counties as well as Red Rocks Park and

¹⁰ Rule 1401(c), 4 CCR 723-1.

¹¹ Rule 1400(d), 4 CCR 723-1.

¹² Explorer Tours’ Letter of Authority, PUC No. 55952, attached to Explorer Tours’ Petition for Intervention and Entry of Appearance, filed Jan. 2, 2024.

Amphitheatre on the other hand; and, may provide shuttle services within Eagle and Pitkin Counties.¹³

19. In this Proceeding, Caring Hands seeks authority to provide scheduled shuttle services “between all points in the Counties of Adams, Boulder, Broomfield, Denver, Douglas, Jefferson, Larimer, Logan, Weld, Yuma, Pueblo, Morgan, Park, Mesa, Jackson, Lake, Gilpin, Elbert, Fremont, Garfield, and Grand, State of Colorado...”¹⁴ from several Front Range Counties (Adams, Arapahoe, Boulder, Broomfield, Denver, Douglas, Jefferson, Larimer, Park, and Weld) “...to points throughout the State of Colorado.”

20. The call-and-demand shuttle service Caring Hands seeks to provide thus directly overlaps with the service Explorer Tours provides from Denver to Red Rocks, and Eagle and Pitkin Counties. Explorer Tours has thus demonstrated that it has a legally protected right that may be impacted should Caring Hands succeed in obtaining authority to operate. Explorer Tours identified which “parts” of its authority are in conflict with Caring Hands’ Application. Explorer Tours also represents in its Intervention that it is in good standing and explains that the public interest will be negatively affected should the Application be granted.

21. Caring Hands has not objected to Explorer Tours’ intervention.

22. Accordingly, the ALJ acknowledges Explorer Tours’ Intervention as of Right.

2. Tazco, Inc.

23. Tazco possesses PUC CPCN No. 19429, holds a certificate to provide taxi services, charter and call-and-demand transportation services, and sightseeing services in Mesa and Delta

¹³ Id.

¹⁴ Notice of Applications Filed, filed Dec. 26, 2023.

Counties. With several restrictions, Tazco provides its services between Mesa and Delta Counties on the one hand, and all points within the State of Colorado on the other hand.¹⁵

24. Caring Hands is seeking to provide scheduled shuttle service to transport its clients to and from its facilities in several Colorado counties, including Mesa County. The service area within which Caring Hands proposes to operate thus directly overlaps with the area in which Tazco currently provides service. Tazco asserts that granting Caring Hands a CPCN would negatively impact the former's business and would not be in the public interest.

25. Caring Hands has not objected to Tazco's intervention in this Proceeding.

26. Tazco has thus demonstrated that it may intervene as of right in this Proceeding. Its Intervention as of right is acknowledged.

3. Estes Park Charters Corp.

27. Estes Park holds PUC CPCN No. 54696. Its Letter of Authority provides it with extensive operating rights. Briefly, it is authorized to provide scheduled service between Denver and points in Estes Park, Colorado, which fall within a 12-mile radius of the intersection of US Highways 34 and 36 and within a 12-mile radius of Estes Park, with certain restrictions (for example, it cannot offer service between Denver and Boulder). It is also authorized to provide: (1) call-and-demand sightseeing services and call-and-demand limousine services of passengers and their baggage to all points between Estes Park and a 75-mile radius around Estes Park, as well as points in Boulder County that lie north of State Highway 52; (2) charter service transporting passengers and their baggage between all points within a 12-mile radius of Estes Park; and,

¹⁵ Letter of Authority of Tazco, Inc., PUC No. 19429, attached as Exhibit A to the Tazco Intervenors' Notice of Intervention by Right, Alternative Motion for Intervention, Entry of Appearance, and Request for Hearing, filed Jan. 24, 2024.

(3) charter service transporting passengers and their baggage between Estes Park and all points within a 75-mile radius of the intersection of US Highways 34 and 36, with certain restrictions.¹⁶

28. The scheduled shuttle service Caring Hands seeks to provide overlaps directly with the shuttle and charter services Estes Park provides. Specifically, among the authority Caring Hands seeks is to offer shuttle service between all points in Denver and Larimer Counties, in which Estes Park lies. Although Estes Park also offers sightseeing services, a significant portion of its business involves transporting passengers between Denver and Estes Park in Larimer County. Estes Park has thus demonstrated that it has a legally protected right that would likely be impacted should Caring Hands succeed in obtaining an authority to operate. Estes Park has also identified which “parts” of its authority are in conflict with Caring Hands’ Application. Finally, Estes Park represents in its Intervention that it is in good standing, is ready and able to provide transportation services to its customers, and that the public interest will be negatively affected should the Application be granted.¹⁷

29. Caring Hands has not objected to Estes Park’s intervention.

30. The ALJ finds and concludes that Estes Park has demonstrated its right to intervene. Accordingly, the ALJ acknowledges Estes Park’s Intervention as of Right.

¹⁶ Letter of Authority of Estes Park Charters Corp., PUC No. 54696, attached as Exhibit B to the Tazco Intervenor’s Notice of Intervention by Right, Alternative Motion for Intervention, Entry of Appearance, and Request for Hearing, filed Jan. 24, 2024. (Note: Estes Park Charters offers several services in and around Estes Park. However, its Letter of Authority includes detailed restrictions. The above description is merely a summary of Estes Park Charters’ authority and should not be considered a complete recitation of its authority. For a more complete understanding of the extent and restrictions on Estes Park Charters’ authority, please review Exhibit 4 attached to the Notice of Intervention filed by Alpine Taxi, et al.)

¹⁷ Tazco Intervenor’s Notice of Intervention by Right, Alternative Motion for Intervention, Entry of Appearance, and Request for Hearing, ¶¶ 2-6, pp. 1-2. filed Jan. 24, 2024.

4. Home James Transportation Services, Ltd.

31. Home James Transportation Services, Ltd. (Home James) holds PUC CPCN No. 16114. It is authorized to provide the following: (1) charter service and call-and-demand limousine service between points within a 5-mile radius of Winter Park and those parts of Rocky Mountain National Park in Grand County; (2) call-and-demand limousine service between a 5-mile radius of Winter Park on the one hand, and the Isle of Capri Hotel and Casino in Black Hawk, the Summit Stage Park and Ride in Frisco, the Copper Mountain Free Shuttle stop, and the Vail Transportation Center on the other hand; (3) charter service and call-and-demand limousine service for passengers and their baggage between Denver and Grand County; (4) taxi service between Winter Park and those portions of Rocky Mountain National Park in Grand County; (5) taxi service between Grand County on the one hand and Frisco and Copper Mountain on the other hand; and (6) scheduled service between DIA and Grand County, including the intermediate points of Idaho Springs, Empire, and a Conoco Station and Texaco Station in Wheat Ridge, with restrictions.¹⁸

32. The scheduled shuttle service Caring Hands seeks to provide overlaps directly with the shuttle, charter, and scheduled services Home James provides. In particular and as noted above, Caring Hands seeks to offer scheduled shuttle service “between all points in the Counties of Adams, Boulder, Broomfield, Denver, Douglas, Jefferson, Larimer, Logan, Weld, Yuma, Pueblo, Morgan, Park, Mesa, Jackson, Lake, Gilpin, Elbert, Fremont, Garfield, and Grand, State of

¹⁸ Letter of Authority of Home James Transportation Services, Ltd. (Home James), PUC No. 16114, attached as Exhibit C to the Tazco Intervenors’ Notice of Intervention by Right, Alternative Motion for Intervention, Entry of Appearance, and Request for Hearing, filed Jan. 24, 2024. (Note: Home James offers several services to, in and around Winter Park. The above description is a summary of Home James’ authority and should not be considered a complete recitation of its authority. For a more complete understanding of the extent and restrictions on Home James’ authority, please review Exhibit C attached to the Tazco Intervenor’s Notice of Intervention.)

Colorado.”¹⁹ Home James’ existing authority permits it to offer transportation services from Denver to Grand County placing Caring Hand’s proposal in direct conflict with Home James’ authority in Grand County. Home James has thus demonstrated that it has a legally protected right that would likely be impacted should Caring Hands succeed in obtaining authorization to operate as a schedule shuttle service. Home James has identified which “parts” of its authority are in conflict with Caring Hands’ Application. Home James also represents in its Intervention that it is in good standing, is ready and able to provide transportation services to its customers, and that the public interest will be negatively affected should the Application be granted.²⁰

33. Caring Hands has not objected to Home James’ intervention.

34. The ALJ finds and concludes that Home James has established its right to intervene. Accordingly, the ALJ acknowledges Home James’ Intervention as of Right.

35. The parties to this Proceeding are thus Caring Hands, Explorer Tours, Tazco, Estes Park and Home James.

III. REPRESENTATION

36. The Tazco Intervenors are represented by counsel in this Proceeding. However, Caring Hands and Explorer Tours are not. It is therefore necessary to address Caring Hands’ and Explorer Tours’ representation in this Proceeding.

A. Governing Law

37. Generally, parties appearing before the Commission must be represented by an attorney authorized to practice law in Colorado.²¹ However, an individual may appear without an

¹⁹ Notice of Applications Filed, filed Dec. 26, 2023.

²⁰ Tazco Intervenors’ Notice of Intervention by Right, Alternative Motion for Intervention, Entry of Appearance, and Request for Hearing, ¶¶ 2-8, pp. 1-2. filed Jan. 24, 2024.

²¹ Rule 1201(a) of the Rules of Practice and Procedure, 4 *Code of Colo. Regulations* (CCR) 723-1.

attorney on behalf of a company after showing eligibility.²² To do so, all the below conditions must be met:

- (a) The company must not have more than three owners;
- (b) The amount in controversy must not exceed \$15,000; and
- (c) The non-attorney individual seeking to represent the company must provide the Commission with satisfactory evidence demonstrating his or her authority to represent the company in the proceeding.²³

38. It is presumed that a corporation's officers, a partnership's partners, a limited partnership's members, and persons authorized to manage a limited liability company have authority to represent the company in the proceeding.²⁴ A written resolution from a company specifically authorizing the individual to represent the company's interests in the proceeding may also be relied upon as evidence of the individual's authority to represent the company.²⁵

1. Caring Hands' Representation

39. In its Application, Caring Hands requests that its Director and Designated Agent, Matthew Staffiero, be permitted to represent it in this Proceeding. It represents that Caring Hands does not have more than three owners, and that the dollar amount in controversy does not exceed \$15,000.²⁶

40. None of the Intervenors has objected to Staffiero representing Caring Hands in this Proceeding.

²² Rule 1201(b)(II), 4 CCR 723-1; § 13-1-127, C.R.S.

²³ Rule 1201(b)(II), § 13-1-127(2) and (2.3)(c), C.R.S.

²⁴ § 13-1-127(2) and (2.3), C.R.S.

²⁵ § 13-1-127(3), C.R.S.

²⁶ Application, § 21, p. 7.

41. Based on the foregoing and the record as a whole, the ALJ finds that Caring Hands meets the requirements of Rule 1201(b)(II), 4 CCR 723-1 and § 13-1-127, C.R.S., to be represented by a non-attorney, Staffiero, in this Proceeding and will permit him to do so.

2. Explorer Tours' Representation

42. Similarly, in its Petition for Intervention and Entry of Appearance, Explorer Tours requests that it be permitted to be represented by its owner, Roman Lysenko. It states that Explorer Tours is a closely-held entity, has no more than three owners, and that the amount in controversy does not exceed \$15,000.²⁷ Explorer Tours asks that its president and owner, Roman Lysenko, a non-attorney, be permitted to represent its interests in this proceeding.²⁸

43. The ALJ notes that Lysenko has been authorized to represent Explorer Tours in other proceedings before the Commission.²⁹

44. Based on the foregoing and the record as a whole, the ALJ finds that Explorer Tours meets the requirements of Rule 1201(b)(II), 4 CCR 723-1 and § 13-1-127, C.R.S., to be represented by a non-attorney, Roman Lysenko, in this proceeding and will permit him to do so.

IV. REMOTE PREHEARING CONFERENCE.

45. To move this matter forward, and in anticipation of a hearing on the Application, the ALJ is scheduling a fully remote prehearing conference per Rule 1409(a), 4 CCR 723-1.

46. Participants will appear at the prehearing conference from remote locations by video conference 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

²⁷ Explorer Tours's Intervention at 2.

²⁸ *Id.*

²⁹ See, e.g., Decision No. R24-0032-I in Proceeding No. 23A-0514CP-EXT, issued Jan. 16, 2024; and Decision No. R23-0192-I in Proceeding No. 22A-0559CP, issued Mar. 23, 2023.

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.

47. To minimize the potential that the video-conference 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.³⁰

48. At the prehearing conference, an evidentiary hearing will be scheduled, and related procedural deadlines will be established. The ALJ anticipates that a fully remote hearing will be held via Zoom. Alternatively, the parties may choose to hold a hearing fully in person at the Commission's offices in Denver, Colorado, or at another location agreed to by the parties and approved by the ALJ, or a hybrid hearing which accommodates both in person and remote participation in the evidentiary hearing.

49. Given that Caring Hands' Application was deemed complete on January 31, 2024, and that a Commission final decision must be issued within 250 days of that date, the deadline by which a final Commission decision must issue in this Proceeding is on or before October 7, 2024. Therefore, the ALJ anticipates that an evidentiary hearing in this matter should best be held by the end of June 2024. The participants should keep this in mind when preparing for the prehearing conference. Other issues relevant to this proceeding may be raised or addressed at the prehearing conference, including whether the parties have met the requirements of this Decision and relevant Commission rules.

³⁰ Participants will receive an email with the information to join the hearing at the email addresses on file with the Commission for this proceeding. The ALJ anticipates that the hearing will be webcast, consistent with Commission practice; this means that those wishing to observe the hearing may do so without the need to join the hearing as a participant.

50. *All parties are on notice* that failure to appear at the prehearing conference may result in decisions adverse to their interests, including granting the complete relief opposing parties seek, dismissing interventions, and dismissing or granting the Application. The ALJ will deem any party's failure to appear at the prehearing conference to be a waiver of that party's objection to the rulings made during the prehearing conference.

51. Alternatively, the parties are encouraged to confer regarding a proposed procedural schedule and evidentiary hearing. If the parties reach an agreement concerning a procedural schedule to govern this Proceeding as well as a proposed format and date or dates for an evidentiary hearing, they may contact the undersigned ALJ informally via email. If the ALJ approves the proposed procedural schedule and evidentiary hearing, the prehearing conference may be vacated.

V. ORDER

A. It is Ordered That:

1. The interventions of Mountain Star Transportation LLC, doing business as Explorer Tours (Explorer Tours); Tazco, Inc. (Tazco); Estes Park Charters, Corp. (Estes Park); and Home James Transportation Services, Ltd. (Home James), are acknowledged.

2. Caring Hands Transport, LLC, doing business as Caring Hands Community Services (Caring Hands or Applicant) may be represented in this Proceeding by its Director and Designated Agent, Matthew Staffiero, a non-attorney.

3. Explorer Tours may be represented in this Proceeding by its owner, Roman Lysenko, a non-attorney.

4. A remote prehearing conference in this Proceeding is scheduled as follows:

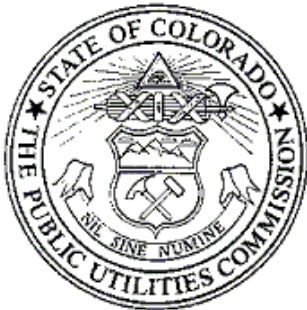
DATE: Tuesday, April 16, 2024
TIME: 10:30 a.m.
PLACE: Join by video conference using Zoom

5. 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.

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

7. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ALENKA HAN

Administrative Law Judge

ATTEST: A TRUE COPY

Rebecca E. White,
Director