

Decision No. R24-0441-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 24F-0204E

HOWARD KIYOTA,

COMPLAINANT,

V.

UNITED POWER, INC.,

RESPONDENT.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
ROBERT I. GARVEY
VACATING EVIDENTIARY HEARING**

Mailed Date: June 21, 2024

I. STATEMENT

1. On May 7, 2024, Howard Kiyota filed a Complaint against United Power Inc., (Respondent or United Power). That filing commenced this proceeding.

2. On May 8, 2024, Rebecca White, Director, served a copy of the Complaint together with an Order requiring the defendant to satisfy or answer said complaint within 20 days, in accordance with § 40-6-108, C.R.S. An evidentiary hearing was scheduled for July 22, 2024.

3. On May 15, 2024, the above captioned proceeding was referred to an Administrative Law Judge (ALJ).

4. On May 23, 2024, United Power filed its Motion to Dismiss.

II. EVIDENTIARY HEARING

5. In order to provide sufficient time to consider the Motion to Dismiss, and for the Parties to prepare for a potential hearing, the evidentiary hearing scheduled for July 22, 2024, shall be vacated.

6. The evidentiary hearing shall be rescheduled contemporaneously, if necessary, with a ruling on the Motion to Dismiss.

III. ORDER**A. It Is Ordered That:**

1. The evidentiary hearing scheduled for July 22, 2024, is vacated.
2. The evidentiary hearing shall be rescheduled contemporaneously, if necessary, with a ruling on the Motion to Dismiss filed by United Power Inc. on May 23, 2024.
3. This Decision shall be effective immediately.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ROBERT I. GARVEY

Administrative Law Judge

ATTEST: A TRUE COPY

Rebecca E. White,
Director