

Decision No. R24-0475-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 24G-0052TO

COLORADO PUBLIC UTILITIES COMMISSION,

COMPLAINANT,

V.

TOW-PROS LLC,

RESPONDENT.

**INTERIM DECISION
RESCHEDULING REMOTE HEARING**

Issued Date: July 3 ,2024

I. STATEMENT

1. This proceeding concerns Civil Penalty Assessment Notice (“CPAN”) No. 137427 issued by Commission Staff (“Staff”) on January 31, 2024, against Respondent Tow-Pros, LLC (“Respondent” or “Tow-Pros”). The CPAN assessed Tow-Pros a total penalty of \$4,111.25 for two violations of Rule 6509(a)(IV), and one violation of Rule 6509(a)(IX), Rule 6509(a)(X), Rule 6509(a)(VII), Rule 6509(a)(I), and Rule 6509(a)(VII) 4 *Code of Colorado Regulations* (CCR) 723-6, as more specifically listed in the CPAN.

2. The CPAN was personally served on January 31, 2024. A representative of Tow-Pros signed the CPAN acknowledging receipt on January 31, 2024.

3. On April 12, 2024, Trial Staff of the Commission (“Staff”) filed its Notice of Intervention as of Right and Entry of Appearance in this proceeding.

4. On April 24, 2024, the Commission referred this proceeding to an Administrative Law Judge by minute entry.

5. On May 28, 2024, by Decision No. R24-0355-I, a remote hearing was scheduled in the above captioned proceeding for July 16, 2024.

6. On June 28, 2024, Staff filed its Motion to Amend Procedural Schedule and Waive Response Time (“Motion to Amend”).

II. MOTION TO AMEND

7. Staff states in the Motion to Amend that its primary witness is unavailable on July 16, 2024. Staff requests that the evidentiary hearing be rescheduled for July 29, 30, or 31, 2024.

8. Staff states they have attempted on multiple occasions, without success, to determine whether the Respondent objects to the Motion to Amend.

9. Staff also asks that response time to the Motion to Amend be waived.

10. Good cause is found to grant the Motion to Amend and to waive response time.

11. The evidentiary hearing in the above captioned proceeding shall be rescheduled for July 30, 2024.

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

1. The Motion to Amend Procedural Schedule (“Motion to Amend”) filed by the Trial Staff of the Commission on June 28, 2024, is granted.

2. Response time to the Motion to Amend is waived.

3. The remote hearing in the above captioned proceeding scheduled for July 16, 2024, is vacated.

4. The remote hearing in the above captioned proceeding is rescheduled as follows:

DATE: July 30, 2024

TIME: 9:00 a.m.

PLACE: By video conference: using the Zoom web conferencing platform at a link be provided to the participants by email.¹

¹ Additional information about the Zoom platform and how to use the platform are available at: <https://zoom.us/>. All participants are encouraged to participate in a test meeting prior to the scheduled hearing. See <https://zoom.us/test>.

5. This Decision is 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

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

Rebecca E. White,
Director