

Decision No. R24-0546-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
GRANTING UNOPPOSED MOTION TO VACATE
HEARING**

Issued Date: July 30, 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 Schedule”).

7. On July 3, 2024, by Decision No. R24-0475-I, the Motion to Amend Schedule was granted, and the evidentiary hearing was rescheduled for July 30, 2024.

8. On July 16, 2024, Staff filed its Motion to Amend CPAN.

9. On July 22, 2024, by Decision No. R24-0521-I, the Motion to Amend CPAN was granted.

10. On July 26, 2024, Staff filed its Unopposed Motion to Vacate Evidentiary Hearing and Waive Response Time (“Unopposed Motion to Vacate”).

II. MOTION TO AMEND CPAN

11. Staff states in the Unopposed Motion to Vacate that on July 26, 2024, the Parties reached a settlement in the above captioned proceeding.

12. Staff requests that the evidentiary hearing scheduled for July 30, 2024, be vacated to allow the Parties to file the settlement agreement.

13. The Respondent does not object to the requested relief.

14. Staff also asks that response time to the Unopposed Motion to Vacate be waived.

III. CONCLUSION

15. Good cause is found to grant the Unopposed Motion to Vacate and to waive response time.

IV. ORDER

A. It is Ordered That:

1. The Unopposed Motion to Vacate Evidentiary Hearing (“Unopposed Motion to Vacate”) filed by the Trial Staff of the Commission on July 26, 2024, is granted.
2. The evidentiary hearing scheduled for July 30, 2024, is vacated.
3. Response time to the Unopposed Motion to Vacate is waived.
4. 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

Rebecca E. White,
Director