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STATE OF COLORADO  
PUBLIC UTILITIES COMMISSION  
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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 06G-314EC  
Civil Penalty Assessment Notice No. 79346

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**STIPULATION AND SETTLEMENT AGREEMENT**

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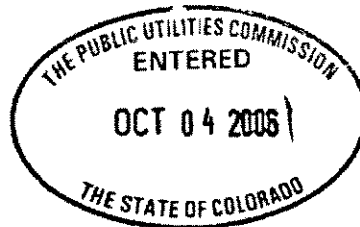
COLORADO PUBLIC UTILITIES COMMISSION,

Complainant,

v.

Star Limousine, Inc.

Respondent.



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Staff of the Public Utilities Commission (Staff) and Respondent Star Limousine, Inc. (Respondent) (collectively Parties), enter into this Stipulation and Settlement Agreement (Agreement) in the above-referenced docket as a complete and final resolution of all issues.

**Background**

On May 26, 2006, Staff issued Respondent Civil Penalty Assessment Notice (CPAN) No. 79346 seeking civil penalties of \$2,500 (or \$1,250 if paid within 10 days). The violations in CPAN No. 79346 alleged Respondent violated § 40-2-104, C.R.S., 49 *Code of Federal Regulations* (CFR) 392.2, and 4 *Code of Colorado Regulations* (CCR) 723-6-6102(a)(1) by operating a vehicle without a proper vehicle registration.

Pursuant to the Order Setting Hearing and Notice of Hearing dated June 7, 2006, the matter was scheduled for hearing in Denver, Colorado, on July 20, 2006. On June 12, 2006, the

undersigned counsel for Staff entered her appearance on behalf of Staff. On July 20, 2006, the Administrative Law Judge (ALJ) assigned to this matter issued Decision No. R06-0849-I, granting Staff's previously-filed motion to vacate and reset the hearing date. Decision No. R06-0849-I rescheduled the hearing for August 31, 2006. On August 30, 2006, the Parties reached a comprehensive settlement in principle and counsel for both Parties presented to the ALJ an oral unopposed motion to vacate the August 31, 2006 hearing. The ALJ granted the Parties request.

The Agreement herein has been reached in the spirit of compromise and in light of the uncertainties of trial. The Agreement has also been reached to avoid the costly expense of litigation. The Parties note that the Agreement promotes administrative efficiency by avoiding the time and expense that would be necessarily devoted to hearing this matter.

The Parties submit the public interest is served by assessing Respondent a civil penalty of \$2, 500 under the terms herein.

#### **Terms and Conditions**

Staff and Respondent hereby stipulate and agree as follows:

1. Respondent admits liability to the violation of § 42-3-103, C.R.S., 49 CFR 3922., and 4 CCR 723-6-6102(a)(1).
2. Respondent agrees to pay \$2,500 to the Colorado Public Utilities Commission over a period of five months, with a payment of \$500 per month. The first payment shall be due within ten (10) days after the issuance of a final decision of the

Commission approving this Agreement. The remaining four payments shall be due on the first day of each subsequent month.

3. The balance of the civil penalty shall become immediately due and payable in full if the Commission does not receive the first payment within ten (10) days of the Commission's order approving this agreement or if any of Respondent's other payments are not received by the 10<sup>th</sup> calendar day of each month a payment is due.

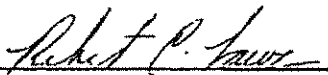
3. In the event this Agreement is modified or not approved in its entirety, either Staff or Respondent, at that party's option, may withdraw from this Agreement by filing a notice with the Commission in this docket within seven (7) days of entry of such Order. In that event, this docket shall be set for hearing in Denver, Colorado.

4. This Agreement may be executed in counterparts, all of which when taken together shall constitute the entire agreement with respect to the issues addressed by this stipulation.


Dated this 3<sup>rd</sup> <sup>October</sup> day of September 2006.

STAFF OF THE COLORADO  
PUBLIC UTILITIES COMMISSION

*Approved as to form:*

By:   
John Opeka  
Criminal Investigator  
Colorado Public Utilities Commission  
1580 Logan Street, OL-2  
Denver, Colorado 80203  
(303) 894-2009

*ROBERT C. LAWS  
CRIMINAL INVESTIGATOR III  
COLORADO PUBLIC UTILITIES COMMISSION  
1580 LOGAN STREET, OL-2  
DENVER, CO 80203  
(303) 844-2848*

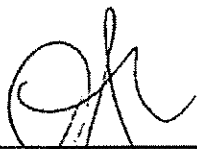
By:   
Anne K. Botterud, #20726\*  
First Assistant Attorney General  
Office of the Attorney General  
Business & Licensing Section  
1525 Sherman Street, 5th Floor  
Denver, Colorado 80203  
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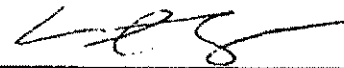
COUNSEL FOR STAFF OF THE COLORADO  
PUBLIC UTILITIES COMMISSION

\*Counsel of Record

Star Limousine, Inc.

*Approved as to form*

By:   
Omar Alabassi  
President  
4845 E. Evans Avenue  
Denver, Colorado 80222  
(303) 257-9090

By:   
Victor L. Sulzer, # 24804  
Hopkins, Tschetter, Sulzer  
2821 S. Parker Road  
Tower II, Suite 228  
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vic@htspc.com

COUNSEL FOR RESPONDENT STAR LIMOUSINE, INC.

CERTIFICATE OF SERVICE

This is to certify that I have duly served the JOINT MOTION TO APPROVE  
STIPULATION AND SETTLEMENT AGREEMENT AND REQUEST FOR WAIVER  
OF RESPONSE TIME upon all parties herein by depositing copies of same in the United  
States mail, first class postage prepaid, or as otherwise indicated, at Denver, Colorado, this  
3 day of October, 2006, addressed as follows:

Star Limousine Inc  
4845 East Evans Avenue  
Denver, CO 80222

Robert Laws  
Public Utilities Commission  
1580 Logan Street, OL-2  
Denver, CO 80203

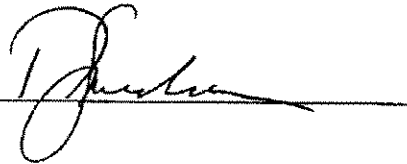
BY INTERDEPARTMENTAL MAIL

John Opeka  
Public Utilities Commission  
1580 Logan Street, OL-2  
Denver, CO 80203

BY INTERDEPARTMENTAL MAIL

Dino Ioannides  
Advisory Staff  
Public Utilities Commission  
1580 Logan Street, OL-2  
Denver, CO 80203

BY INTERDEPARTMENTAL MAIL



A handwritten signature in black ink, appearing to read "John Opeka", is written over a horizontal line.