

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 19M-0230TR

IN THE MATTER OF THE PETITION OF ROBERT LAWRENCE VELHO TO REVERSE AN INITIAL DRIVER DISQUALIFICATION PURSUANT TO RULE 6105 OF 4 CCR 723-6.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
CONOR F. FARLEY
SCHEDULING HEARING, ESTABLISHING
DEADLINE FOR PREHEARING MOTIONS, AND
PROVIDING ADDITIONAL ADVISEMENTS**

Mailed Date: June 5, 2019

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I. STATEMENT

A. Background

1. On May 2, 2019, Robert Lawrence Velho filed a letter asking the Commission to reverse an initial determination by Commission Staff disqualifying him from driving for a limited regulation passenger carrier and/or taxi carrier on the basis of a fingerprint-based

criminal history record check, pursuant to Rule 6105, 4 *Code of Colorado Regulations* (CCR) 723-6 (2016). The Commission construed Mr. Velho's letter as a Petition to reverse the initial driver disqualification determination and initiated the instant Proceeding.

2. On May 15, 2019, the matter was referred to an Administrative Law Judge (ALJ) for resolution. The proceeding was subsequently assigned to the undersigned ALJ.

B. Hearing

3. The hearing in this matter shall be scheduled for July 11, 2019.

4. At the hearing, the parties may call witnesses in support of their position. The parties shall also bring an original and three copies of each exhibit they intend to introduce at the hearing.

5. If any exhibit is longer than two pages, the party offering the exhibit shall sequentially number each page of the exhibit.

6. All parties are required to be present at the hearing.

7. If a party is unable to attend, the party shall file a motion to reschedule prior to the hearing. The motion shall state the reason the party is unable to attend and state the days the party is available for a rescheduled hearing.

C. Prehearing Motions

8. A deadline of June 19, 2019 shall be established to file any prehearing motions, which will provide sufficient time for any party opposing any such motion to file a response before the hearing.

D. Representation of Mr. Velho

9. Rule 1201(a), 4 CCR 723-1, of the Rules of Practice and Procedure requires a party in an adjudication before the Commission to be represented by an attorney except that,

pursuant to Rule 1201(b)(I), an individual who is not an attorney may represent her or his own interests. Thus, in this Proceeding, Mr. Velho may appear without an attorney (that is, he may appear *pro se*) to represent his own interests. Of course, Mr. Velho may also retain counsel to represent him in this proceeding, if he so chooses.

10. **Mr. Velho is advised and is on notice that**, if he continues to represent himself, he will be bound by – and the ALJ will hold him to – the same procedural and evidentiary rules as those to which attorneys are held.

E. Additional Advisements

11. The Parties are advised and are on notice that this proceeding is governed by the Rules of Practice and Procedure found at 4 CCR 723-1. The ALJ expects the Parties to be familiar with and to comply with these rules. The rules are available on the Commission's website (<http://www.dora.colorado.gov/puc>) and in hard copy from the Commission.

II. ORDER

A. It Is Ordered That:

1. A hearing in this proceeding is scheduled as follows:

DATE: July 11, 2019
TIME: 9:00 a.m.
PLACE: Commission Hearing Room B
1560 Broadway, Suite 250
Denver, Colorado

2. The deadline for prehearing motions to be filed in this Proceeding is June 19, 2019.

3. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

CONOR F. FARLEY

Administrative Law Judge

ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Doug Dean".

Doug Dean,
Director