

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 22G-0290CP

Civil Penalty Assessment Notice: 131242-CPAN

PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO,

Complainant,

v.

MKBS LLC dba METRO TAXI &/or TAXIS FIESTA &/or SOUTH SUBURBAN
TAXI &/or NORTHWEST SUBURBAN TAXI &/or METRO YELLOW TAXI &/or
METRO MOBILITY &/or YELLOW CAB

Respondent.

JOINT STIPULATION AND SETTLEMENT AGREEMENT

The Parties, Trial Staff of the Colorado Public Utilities Commission (“Staff”) and Respondent MKBS LLC dba Metro Taxi &/or Taxis Fiesta &/or South Suburban Taxi &/or Metro Yellow Taxi &/or Metro Mobility &/or Yellow Cab, enter into this Stipulation and Settlement Agreement (“Settlement Agreement”) in the above-referenced proceeding as a complete and final resolution of all issues that were or could have been raised in this proceeding. Individually, Staff and the Respondent shall be referred to as “Party.” Together, Staff and the Respondent shall be referred to as the “Parties.”

BACKGROUND AND RECITALS

1. Michael Hart is the Manager of Communications and Street Operations for Metro Transportation Planning & Solutions Group, the registered agent for MKBS LLC, and has authority to enter into this Settlement Agreement on behalf of the Respondent.

2. On June 21, 2022, Staff issued and filed a Civil Penalty and Assessment or Notice of Complaint to Appear ("CPAN") Number 131242. It was also personally served on the Respondent on June 21, 2022. The CPAN alleges one violation of 4 CCR 723-6-6255 for overcharging in flat rate zones.

3. The CPAN provides that the civil penalty fine assessed for the violation is \$225.00, plus an additional 15 percent surcharge of \$33.75, for a total amount of \$258.75.

SETTLEMENT AND AGREEMENT

4. The Parties have reached a settlement in this matter. The Respondent has agreed to pay the total violation amount of \$258.75.

5. The Respondent admits liability for the violation in the CPAN.

6. The Respondent agrees to pay the violation amount within 15 days off the approval of the settlement by the Commission.

7. This Settlement Agreement was reached to avoid the uncertainties of trial and the costly expense of litigation for both parties.

8. This Settlement Agreement promotes administrative efficiency because it avoids the time and expense that necessarily would be devoted to preparing for and attending the hearing for this proceeding.

9. The public interest is served by this Settlement Agreement because it requires the Respondent to pay a civil penalty of \$258.75.

10. This Settlement Agreement may be signed in counterparts, each of which, when taken together, shall constitute the entire agreement of the Parties.

11. This Settlement Agreement may not be modified by the Parties, except in writing, with express agreement of each Party, and with the approval of the Commission.

12. The Respondent's failure to make the required settlement payment and to complete the payment obligations described in Paragraph 6(B) of the Settlement Agreement shall be deemed as a waiver by the Respondent of any rights and all rights to file exceptions, as well as a request for rehearing, reargument, and reconsideration, or to file any other form of the appeal.

13. Should this Settlement Agreement be modified or not approved in its entirety by the Administrative Law Judge or the Commission, either Party, at that Party's option, may withdraw from this Settlement Agreement by filing a notice with the Commission in this proceeding within seven days of such order. In this event, this Settlement Agreement Shall be void and this matter set for hearing

DATED this 02 day of August, 2022.

STAFF OF THE COLORADO PUBLIC UTILITIES COMMISSION

By: _____
Lloyd Swint
Criminal Investigator II
Colorado Public Utilities Commission
1560 Broadway, Suite 250
Denver, CO 80202

MKBS LLC dba METRO TAXI &/or TAXIS FIESTA &/or SOUTH SUBURBAN
TAXI &/or NORTHWEST SUBURBAN TAXI &/or METRO YELLOW TAXI &/or
METRO MOBILITY &/or YELLOW CAB

By: 
Michael Hart,
Manager, Communications & Street Operations
Metro Transportation Planning & Solutions Group
2174 South Valentia Street
Denver, CO 80231

Respondent

Approved as to form:

PHILIP J. WEISER
Attorney General

By: /s/ Jeremy D. Johnston
Jeremy D. Johnston, #54424
Assistant Attorney General
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