

Decision No. R25-0569-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 25F-0178CP

ROMAN LYSENKO,

COMPLAINANT,

V.

DTR OPERATIONS, LLC DOING BUSINESS AS ROCKY MOUNTAIN EVENT SHUTTLES,

RESPONDENT.

**INTERIM DECISION SCHEDULING REMOTE HEARING
AND ESTABLISHING PROCEDURES**

Issued Date: August 6, 2025

I. SUMMARY AND PROCEDURAL BACKGROUND

1. On April 25, 2025, Roman Lysenko (“Complainant”) initiated this matter by filing a Complaint with the Public Utilities Commission (“PUC” or “Commission”) against DTR Operations, LLC doing business as Rocky Mountain Event Shuttles (“Respondent”).

2. On April 29, 2025, the Commission set this matter for hearing on July 14, 2025. On that same date, the Commission ordered Respondent to satisfy the Complaint or file an answer within 20 days. On May 14, 2025, the PUC referred this matter by minute entry to an Administrative Law Judge (“ALJ”) for disposition.

3. On May 19, 2025, Respondent, through counsel, filed a Motion to Dismiss. Complainant did not file a response to the Motion to Dismiss. By Decision No. R25-0490-I, the

ALJ denied the Motion to Dismiss, continued the July 14, 2025 hearing, and set a remote prehearing conference for July 31, 2025 to set a hearing date.

4. At the scheduled time on July 31, 2025, the ALJ convened the remote prehearing conference. The parties agreed to a hearing date of August 28, 2025.

II. REMOTE HEARING

1. Based on the flexibility it affords the parties and their witnesses, the evidentiary hearing in this matter will be held in a remote format. A remote hearing is where the parties and ALJ appear remotely. The hearing will be scheduled for **August 28, 2025**, at 9:00 a.m. as ordered below. A webcast of the proceedings will be available to the public through the Commission's website.

2. This Decision, Attachment A, and Attachment B provide important information and instructions to facilitate holding the remote hearing, which all parties must follow.

3. The procedures developed for the remote evidentiary hearing are intended to replicate, as practicable, evidence presentation as it occurs when parties and witnesses are present in the hearing room. For example, participating by video conference allows parties and witnesses to view exhibits on the video conference screen while the exhibits are being offered into evidence and witnesses testify about them.

4. The remote evidentiary hearing will be conducted via video conference using the Zoom platform. Attachment A to this Decision provides information about the Zoom platform and how to use Zoom to participate in the remote hearing. To minimize the potential that the hybrid hearing may be disrupted by non-participants, the link and meeting ID, or access code to attend the hearing will be provided to the parties by email approximately one week before the hearing

and the parties and witnesses will be prohibited from distributing that information to anyone not participating in the hearing.

5. At the hearing, the parties may call witnesses, present evidence, and make arguments in support of their position. Evidence includes documentary exhibits, testimony, and other tangible items that a party wishes the ALJ to consider in reaching a decision as to the allegations in this proceeding. Given that the hearing will require remote participation by video conference, exhibits must be presented electronically.

6. The Public Utilities Commission Administrative Hearings Section uses box.com to receive and manage exhibits that are first presented in this type of hybrid evidentiary hearing.¹ As such, it is essential that the parties ensure they can access and use box.com prior to the evidentiary hearing. To this end, the parties will be provided box.com links and instructions to: (a) upload exhibits for use during the hearing; and (b) download exhibits once they are presented during the hearing.

7. Each party must: (a) pre-mark all hearing exhibits with a hearing exhibit number within their assigned number block before uploading the exhibits to the party's designated box.com folder; (b) sequentially page-number each page of exhibits longer than two pages, with the first page number as page 1, regardless of content, before uploading the exhibits to the party's designated box.com folder; and (c) upload all pre-marked exhibits into each party's respective designated box.com folder prior to the presenting them during the hearing.

8. Attachment B outlines procedures and requirements for marking and formatting exhibits aimed at facilitating efficient and smooth electronic evidence presentations at the remote

¹ Box.com is a web-based document sharing service. When exhibits are first presented during the hearing, the Commission will receive them electronically from each party's box.com folder for display.

hearing. It is very important that the parties carefully review and follow all requirements in this Decision and Attachments A and B. To efficiently organize the numbering and preparation of exhibits for the hearing, the parties shall use a unified numbering system for all hearing exhibits.

Blocks of hearing exhibit numbers are assigned as follows:

- Complainant is assigned hearing exhibit numbers 100 to 199; and
- Respondent is assigned hearing exhibit numbers 200 to 399.

9. Complainant must file a list of the witnesses he intends to call during the hearing and to file a copy of the exhibits he intends to use as evidence during the hearing (marked with hearing numbers in the block described above) by **August 13, 2025**.

10. Respondent must file a list of witnesses it intends to call during the hearing and to file a copy of the exhibits it intends to use during the hearing (marked with hearing numbers in the block described above) by **August 25, 2025**.

III. 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. A party's failure to comply with these rules may result in decisions adverse to their interests. The rules are available on the Commission's website (<https://puc.colorado.gov/pucrules>) and in hard copy from the Commission.

12. A party's failure to appear at the scheduled evidentiary hearing may result in decisions adverse to their interests.

13. The ALJ will hold an informal practice video conference session if requested by any party to give the parties an additional opportunity to practice using Zoom and box.com before the hearing.

14. The parties may contact the Commission Legal Assistants by email at casey.federico@state.co.us or stephanie.kunkel@state.co.us to schedule an informal practice videoconference session.

15. The parties will receive information and a link to participate in the informal practice session by email.

16. Additional procedural requirements may be addressed in future interim decisions.

17. The parties are reminded that filings with the Commission must also be served upon all other parties in accordance with Rule 1205 of the Rules of Practice and Procedure, 4 CCR 723-1.

IV. **ORDER**

A. **It Is Ordered That:**

1. A remote hearing is scheduled as follows:

DATE: August 28, 2025

TIME: 9:00 a.m.

WEBCAST: Commission Hearing Room

METHOD: Join by video conference using Zoom at the link to be provided in an email from the Administrative Law Judge OR Commission Staff²

2. Nobody should attend the hearing in person at the Commission's offices.

3. Complainant Roman Lysenko ("Complainant") must file a list of the witnesses he intends to call during the hearing and to file a copy of the exhibits he intends to use as evidence

² Additional information about the Zoom platform and how to use the platform are available at: <https://zoom.us/>. All are strongly encouraged to participate in a test meeting prior to the scheduled hearing. See <https://zoom.us/test>.

during the hearing (marked with hearing numbers in the block described above) by **August 13, 2025**.

4. Respondent DTR Operations, LLC doing business as Rocky Mountain Event Shuttles (“Respondent”) must file a list of witnesses it intends to call during the hearing and to file a copy of the exhibits it intends to use during the hearing (marked with hearing numbers in the block described above) by **August 25, 2025**.

5. Complainant is assigned hearing exhibit numbers 1-199, and Respondent is assigned hearing exhibit numbers 200-399.

6. Participants in the hearing may not distribute the hearing link, access, or ID code to anyone not participating in the hearing. Participants may not appear in person at the Commission for the above-scheduled hearing. Instead, they must participate in the hearing from remote locations, consistent with the requirements of this Decision.

7. All participants must comply with the requirements in Attachments A and B to this Decision, which are incorporated into this Decision.

8. The parties will be held to the advisements in this Decision.

9. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

KELLY A. ROSENBERG

Administrative Law Judge

ATTEST: A TRUE COPY

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

Rebecca E. White,
Director