

Decision No. R24-0871-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 24G-0425TO

COLORADO PUBLIC UTILITIES COMMISSION,

COMPLAINANT,

V.

JAVIER ENRIQUEZ DOING BUSINESS AS JAVIER'S TOWING/GRUA,

RESPONDENT.

**INTERIM DECISION
SCHEUDULING PREHEARING CONFERENCE**

Issued Date: November 25, 2024

I. STATEMENT

1. This proceeding concerns Civil Penalty Assessment Notice (“CPAN”) No. 142013 issued by Commission Staff (“Staff”) on October 3, 2024, against Respondent Javier Enriquez doing business as Javier’s Towing/GRUA (“Respondent” or “Javier’s Towing”). The CPAN assessed Javier’s Towing a total penalty of \$13,915.00 for two violations of rules contained in 4 *Code of Colorado Regulations* (CCR) 723-6.. The violations are specifically listed in the CPAN.

2. The CPAN indicates that it was personally served on October 3, 2024, and a representative of Javier’s Towing, upon service, refused to sign the CPAN.

3. On November 8, 2024, Trial Staff of the Commission (“Staff”) filed its Notice of Intervention as of Right and Entry of Appearance in this proceeding.

4. On November 13, 2024, the Commission referred this proceeding to an Administrative Law Judge by minute entry.

II. PREHEARING CONFERENCE

5. Given the procedural posture of the case, it is appropriate to hold a prehearing conference to address several issues. The parties to this proceeding should be prepared to discuss all procedural and substantive issues, including, but not limited to, deadlines for witness lists, exhibits, and a date for a hearing.

6. Participants will appear at the prehearing conference from remote locations by videoconference and may not appear in person for the prehearing conference. The remote prehearing conference will be held using the web-hosted service, Zoom. Attachment A hereto includes important technical information and requirements to facilitate holding the prehearing conference remotely. All those participating in the hearing must carefully review and follow all requirements in this Decision and Attachment A.

7. To minimize the potential that the videoconference hearing may be disrupted by non-participants, the link and meeting ID or access code to attend the hearing will be provided to the participants by email before the hearing, and the participants will be prohibited from distributing that information to anyone not participating in the hearing. Parties will receive an email with information needed to join the hearing at the email addresses on file with the Commission for this Proceeding. As such, it is important that all parties ensure that the Commission has the correct email address for them.

8. The ALJ will deem any party's failure to appear at the prehearing conference to be a waiver of any objection to the rulings made during the prehearing conference.

9. A prehearing conference in this matter will be scheduled as ordered.

III. ORDER

A. It is Ordered That:

1. A prehearing conference in this proceeding is scheduled as follows:

DATE: December 17, 2024

TIME: 10:00 a.m.

PLACE: Join by videoconference using Zoom

2. 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.

3. All participants must comply with the requirements in Attachment A to this Decision, which is incorporated into this Decision.

4. The Parties shall be held to the advisements in this Decision.

5. This Decision is effective immediately.

(S E A L)



ATTEST: A TRUE COPY

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

Rebecca E. White,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ROBERT I. GARVEY

Administrative Law Judge