

Decision No. R24-0387-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 24G-0179TO

COLORADO PUBLIC UTILITIES COMMISSION,

COMPLAINANT,

V.

KLAUS' TOWING LLC DOING BUSINESS AS KLAUS'TOWING INC.

RESPONDENT.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
ROBERT I. GARVEY
SCHEDULING REMOTE PREHEARING CONFERENCE**

Mailed Date: June 5 ,2024

I. STATEMENT

A. Procedural History

1. This proceeding concerns Civil Penalty Assessment Notice (CPAN) No.135862 issued by Commission Staff on April 18, 2024, against Respondent Klaus Towing LLC doing business as Klaus Towing Inc. (Respondent or Klaus). The CPAN assessed Klaus a total penalty of \$383,297.50 for 368 violations of rules contained in 4 *Code of Colorado Regulations* (CCR) 723-6, and more specifically listed in the CPAN.

2. The CPAN was personally served on April 18, 2024.

3. On May 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 May 22, 2024, the Commission referred this proceeding to an Administrative Law Judge (ALJ) by minute entry.

B. Remote 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: preference for remote, hybrid or in person hearing; deadlines for witness lists, exhibits; and a date(s) 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.

II. ORDER

A. It is Ordered That:

1. A remote prehearing conference is scheduled as follows:

DATE: July 9, 2024

TIME: 9:00 a.m.

PLACE: By video conference: using the Zoom web conferencing platform at a link be provided to the participants by email.¹

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.

¹ Additional information about the Zoom platform and how to use the platform are available at: <https://zoom.us/>. All participants are encouraged to participate in a test meeting prior to the scheduled hearing. See <https://zoom.us/test>.

5. This Decision is effective immediately.

(SEAL)



ATTEST: A TRUE COPY

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ROBERT I. GARVEY

Administrative Law Judge

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

Rebecca E. White,
Director