

Decision No. R25-0037-I

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO**

PROCEEDING NO. 24F-0236CP

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MOUNTAIN STAR TRANSPORTATION, LLC DOING BUSINESS AS RED ROCKS SHUTTLE,

COMPLAINANT,

V.

ON LOCATION EVENTS, LLC DOING BUSINESS AS SHUTTLES TO RED ROCKS, AND ACE EXPRESS COACHES, LLC AND RAMBLIN' EXPRESS, INC.,

RESPONDENTS.

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**INTERIM DECISION ESTABLISHING PROCEDURAL  
SCHEDULE AND SCHEDULING EVIDENTIARY  
HEARING**

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Issued Date: January 21, 2025

**I. STATEMENT**

**A. Procedural Background<sup>1</sup>**

1. This proceeding concerns the formal complaint filed by Mountain Star Transportation, LLC (“Mountain Star”) doing business as Red Rocks Shuttle on May 24, 2024, against On Location Events, LLC, doing business as Shuttles to Red Rocks (“On Location”), Ace Express Coaches, LLC, (“Ace Express”) and Ramblin’ Express, Inc. (“Ramblin’ Express”).

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<sup>1</sup> Only the procedural history necessary to understand this Decision is included.

2. By Decision No. R25-0001-I, issued on January 2, 2025, the undersigned Administrative Law Judge (“ALJ”) scheduled a prehearing conference on January 15, 2025 at 11:00 a.m. At the scheduled time and place, the prehearing conference was convened. All parties appeared and participated through counsel. Following input from all parties, the undersigned orally announced a procedural schedule being memorialized herein.

## **II. MANNER OF HEARING**

### **A. Hybrid Evidentiary Hearing and Unified System for Hearing Exhibits**

3. A hybrid evidentiary hearing is one in which the ALJ and at least one party and/or witness participating from one of the Commission’s hearing rooms in Denver, and the remaining party(ies) and witness(es) participating from one or more remote locations using the Zoom web conferencing platform. A webcast of proceedings will be available to the public through the Commission’s website.

4. The evidentiary hearing scheduled below will be scheduled as a hybrid hearing. The ALJ finds that a hybrid hearing is appropriate because it will permit witnesses and counsel who so desire to appear in person, while allowing other parties who may find appearing in person to be burdensome to appear remotely if they so choose. This Decision, Attachment A, and Attachment B provide important information and instructions to facilitate holding the hybrid hearing, which all parties must follow.

5. The procedures developed for the hybrid 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.

6. The hybrid 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 hybrid 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.

7. 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 implement remote participation by video conference, exhibits must be presented electronically.

8. 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.<sup>2</sup> As such, it is essential that the parties ensure they are able to 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.

9. 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

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<sup>2</sup> 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.

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.

10. Attachment B outlines procedures and requirements for marking and formatting exhibits aimed at facilitating efficient and smooth electronic evidence presentations at the hybrid hearing. It is very important that the parties carefully review and follow all requirements in this Decision and Attachments A and B.

11. In order 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:

- Mountain Star is assigned hearing exhibit numbers 100 to 199;
- On Location is assigned hearing exhibit numbers 200 to 299; and
- Ace Express and Ramblin' Express are assigned hearing exhibit numbers 300 to 399.

**B. Additional Procedural Notices and Advisements**

12. The parties are on notice that the ALJ will retain the discretion to change the method by which the hearing will be conducted.

13. 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 at <https://puc.colorado.gov/pucrules> and in hard copy from the Commission.

14. Each party is specifically advised that all 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.

15. The Parties are also on notice that failure to appear at the scheduled evidentiary hearing may result in decisions adverse to their interests.

**C. Informational Video Conference Practice Session**

16. 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.

17. The Parties may contact the Commission Legal Assistants by email at [casey.federico@state.co.us](mailto:casey.federico@state.co.us) or [stephanie.kunkel@state.co.us](mailto:stephanie.kunkel@state.co.us) to schedule an informal practice video conference session.

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

**III. ORDER**

**It is Ordered That:**

1. A hybrid evidentiary hearing in this matter shall be conducted at the following date, time, and place:

DATE: March 20 and 21, 2025

TIME: 9:00 a.m. each day

PLACE: Commission Hearing Room, 1560 Broadway, Suite 250  
Denver, Colorado

METHOD: In person and by videoconference using Zoom at the link to be provided to counsel and the parties via e-mail prior to the hearing.

Optionally, any party may participate remotely by joining a video conference using Zoom at the link provided to the established parties in an e-mail prior to the scheduled hearing, as addressed above.

2. The parties are responsible for sharing the link, meeting ID code, and passcode with witnesses and others participating in the hearing. Participants in the hearing may not distribute the link, meeting ID code, and passcode to anyone not participating in the hearing.

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

4. Mountain Star Transportation, LLC, doing business as Red Rocks Shuttle shall file and serve: (a) a list that identifies the witnesses it intends to call at the hearing, including a summary of the anticipated testimony of each witness; and (b) copies of the exhibits it will present at the hearing no later than February 11, 2025.

5. All intervenors shall each file and serve: (a) a list that identifies the witnesses each intends to call at the hearing, including a summary of the anticipated testimony of each witness; and (b) copies of the exhibits each will present at the hearing no later than March 5, 2025.

6. The ALJ will hold an informal Zoom practice session upon request.

7. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

G. HARRIS ADAMS

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Administrative Law Judge

ATTEST: A TRUE COPY

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

Rebecca E. White,  
Director