

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 25A-0340CP

IN THE MATTER OF THE APPLICATION OF CHARLES MARSHALL LANE DOING BUSINESS AS LANE TRANSPORTATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.

**INTERIM DECISION
ADDRESSING REPRESENTATION, PROVIDING
OPPORTUNITY FOR EACH PARTY TO FILE A
STATEMENT REGARDING HEARING, ESTABLISHING
PROCEDURAL SCHEDULE, AND PROVIDING FURTHER
INSTRUCTIONS**

Issued Date: October 30, 2025

I. STATEMENT

A. Background

1. On August 15, 2025, Charles Marshall Lane doing business as Lane Transportation (“Lane Transportation”) filed the application described in the caption above (“Application”).

2. On May 27, 2025, the Commission issued public notice of the authority sought by Emerald Express in the Application as follows:

For authority to operate as a common carrier by motor vehicle for hire for the transportation of passengers in call-and-demand shuttle service between all points in the Counties of El Paso and Fremont, State of Colorado.

3. On August 22, 2025, Pikes Peak Cab LLC doing business as Pikes Peak Transport (“Pikes Peak Transport”) filed a Notice of Intervention by Right and Request for Hearing.

4. On August 25, 2025, Fremont Cab, Inc. (“Fremont Cab”) filed a Notice of Intervention by Right. Pikes Peak Transport and Fremont Cab are hereinafter referred to collectively as “Intervenors.”

5. On September 24, 2025, the Commission deemed the Application complete and referred the proceeding by minute entry to an Administrative Law Judge (“ALJ”). The proceeding was subsequently assigned to the undersigned ALJ.

B. Representation

6. Non-attorney Charles M. Lane signed Lane Transportation’s Application and stated therein that he is the owner of Lane Transportation and will represent the company in this proceeding. Similarly, non-attorney Tamara Zvonkvich and Marcos Griego signed Pikes Peak Transport’s Intervention and stated therein that they are the General Manager and Operations Manager, respectively, of Pikes Peak Transport. They request that Marcos Griego be permitted to represent the company in this proceeding. Finally, non-attorney Branda L. Howard signed Fremont Cab’s Intervention and requested therein that owner Gary Howard be permitted to represent the company in this proceeding. In the Application and Interventions, the parties state that: (a) they do not believe the amount in controversy in this proceeding exceeds \$ 15,000; and (b) no party has more than three owners.

7. Based on the foregoing, the undersigned ALJ finds and concludes that, under Rule 1201(a) of the Commission's Rules of Practice and Procedure and § 13-1-127, C.R.S., the parties have established that Charles M. Lane, Marcos Griego, and Gary Howard are permitted to represent Lane Transportation, Pikes Peak Transport, and Fremont Cab, respectively. The parties are on notice that they will be bound by, and held to, the same procedural and evidentiary rules

that attorneys must follow. No party will be held to a lesser standard because it has chosen not to have an attorney represent it in this proceeding.

C. Statement Regarding Hearing

8. In the Application, Lane Transportation requests a hearing in Colorado Springs. Pikes Peak Transport requests a hearing, but does not specify the type or location of the hearing. Fremont Cab does not address a hearing.

9. The Commission can conduct in-person or remote hearings. A remote hearing is one in which all of the participants appear and participate from remote locations over the Zoom web conferencing platform. An in-person hearing is one in which the ALJ and all parties and witnesses participate in the hearing at the same location.

10. The parties will be given the opportunity to file a Statement Regarding Hearing identifying the party's preference for an in-person or remote hearing. If a party prefers an in-person hearing, the party must identify its preferred location and provide an explanation of why the hearing should not take place remotely. Any additional information supporting a request for a particular method of conducting the hearing (*i.e.*, remote or in-person) can be included in a Statement Regarding Hearing.

11. The deadline for the filing of the Statements Regarding Hearing will be **November 7, 2025**. The parties are on notice that the ALJ will retain discretion to choose and change the method by which the hearing will be conducted (*i.e.*, remote or in-person) and/or the location of the hearing.

D. Procedural Schedule

12. To facilitate the orderly and efficient litigation of this proceeding, the ALJ finds and concludes that a procedural schedule should be adopted, so that each party will have an

opportunity prior to the hearing to review a summary of the anticipated testimony of each witness the other party intends to call at the hearing, and to review copies of the exhibits the other party will present at the hearing. Therefore, this Decision will order the parties to file, and to serve on each other, a list of witnesses, a summary of the testimony of each witness, and copies of the exhibits the filing party intends to present at the hearing.

13. On or before **December 1, 2025**, Lane Transportation will be ordered to file and serve on Intervenor: (a) a list that identifies the witnesses Lane Transportation intends to call at the hearing, the last known address and telephone number of each witness, and a summary of the anticipated testimony of each witness; and (b) copies of the exhibits Lane Transportation intends to present at the hearing.

14. On or before **January 5, 2026**, Pikes Peak Transport and Fremont Cab will each be ordered to file and serve on Lane Transportation: (a) a list that identifies the witnesses each Intervenor intends to call at the hearing, the last known address and telephone number of each witness, and a summary of the anticipated testimony of each witness; and (b) copies of the exhibits each Intervenor intends to present at the hearing.

15. As referenced in this Decision, serving a party with any document (e.g., witness and exhibit lists and exhibits) means that the party is required to give the document to the other party or parties to the proceeding. Service must be accomplished pursuant to Rule 1205 of the Commission's Rules of Practice and Procedure.¹ The Commission's Rules (including Rule 1205) are available on the Commission's website (<https://puc.colorado.gov/pucrules>) and in hard copy from the Commission.

¹ 4 CCR 723-1.

16. All parties must establish through a certificate of service that they have served a filed document on all other parties in the proceeding. A certificate of service is a statement indicating how and when a document was served on the other party (e.g., the filing was served by placing the document in the United States mail, first class postage-prepaid to an identified address on an identified date).²

17. All exhibits shall be identified by sequential numbers (e.g., Exhibit 1, Exhibit 2, and Exhibit 3). Each exhibit shall include the following information: (a) exhibit number; (b) proceeding number; (c) name of the witness who will testify to the exhibit's foundation; and (d) the date of the hearing. The parties shall work together to ensure that there are no overlaps in the numbering of the exhibits.

18. The filing of an exhibit with the Commission does not, by itself, admit an exhibit into the evidentiary record of the hearing.

19. If any exhibit is longer than two pages, the party offering the exhibit shall sequentially number each page of the exhibit.

20. The parties are on notice that: (a) any witness may be prohibited from testifying, except in rebuttal, unless that witness is identified on the list of witnesses filed and served as required herein; (b) failure to provide an accurate description of the anticipated testimony of a witness may also result in an order prohibiting such witness from testifying; and (c) any exhibit may not be received in evidence, except in rebuttal, unless filed and served as required herein.

E. Additional Advisements

21. 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

² See Rule 1205(e), 4 CCR 723-1.

familiar with and to comply with these rules. The rules are available on the Commission's website (<https://puc.colorado.gov/pucrules>) and in hard copy from the Commission.

II. ORDER

A. It Is Ordered That:

1. The Interventions filed by Pikes Peak Cab LLC doing business as Pikes Peak Transport ("Pikes Peak Transport") and Fremont Cab, Inc. ("Fremont Cab") on August 22 and 25, 2025, respectively, are acknowledged. Pikes Peak Transport and Fremont Cab are hereinafter referred to collectively as "Intervenors."

2. Charles Marshall Lane doing business as Lane Transportation ("Lane Transportation"), Pikes Peak Transport, and Fremont Cab are the parties in this proceeding.

3. The deadline to file any Statement Regarding Hearing containing the information described above is **November 7, 2025**.

4. On or before **December 1, 2025**, Lane Transportation shall file and serve on the Intervenors: (a) a list that identifies the witnesses Lane Transportation intends to call at the hearing; (b) the last known address and telephone number of each witness; (c) a summary of the anticipated testimony of each witness; and (d) copies of the exhibits Lane Transportation intends to present at the hearing.

5. On or before **January 5, 2026**, each Intervenor shall file and serve on Lane Transportation: (a) a list that identifies the witnesses each Intervenor intends to call at the hearing; (b) the last known address and telephone number of each witness; (c) a summary of the anticipated testimony of each witness; and (d) copies of the exhibits each Intervenor intends to present at the hearing.

6. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

CONOR F. FARLEY

Administrative Law Judge

ATTEST: A TRUE COPY

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

Rebecca E. White,
Director