

Decision No. R22-0526-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 22G-0257EC

COLORADO PUBLIC UTILITIES COMMISSION,

COMPLAINANT,

V.

STYLE CAR SERVICE LLC,

RESPONDENT.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
G. HARRIS ADAMS
SCHEDULING HEARING AND
ESTABLISHING PROCEDURES**

Mailed Date: September 7, 2022

I. STATEMENT

1. This proceeding concerns Civil Penalty Assessment Notice (CPAN) No. 129862 issued by Commission Staff on May 31, 2022 against Respondent Style Car Services, LLC (Style Car). The CPAN assessed Style Car a total penalty of \$25,587.50 for 27 violations of Rules 6102(b)(I); 6107(a)(II); 6109(a); 6114(i)(I); and 6114(i)(II) of 4 *Code of Colorado Regulations* (CCR) 723-6, and three violations of §§ 40-10.1-107(1); and 4-10.1-302(1)(a) C.R.S. as more specifically listed in CPAN No. 129862.

2. On July 6, 2022, the Commission referred this proceeding to an Administrative Law Judge (ALJ) by minute entry.

3. All parties are advised that this proceeding is governed by the Rules of Practice and Procedure found at 4 CCR 723-1. The ALJ expects the parties to comply with these rules. The rules are available on the Commission's website (<http://www.dora.colorado.gov/puc>) and in hard copy from the Commission.

4. Each party is specifically reminded 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.

II. PROCEDURAL SCHEDULE AND EVIDENTIARY HEARING.

5. The parties informal reported, after conferral, a proposed hearing schedule they agreed upon. The proposed hearing date is reasonable and will be adopted as ordered below. The parties also agreed that the evidentiary hearing would be held in a hybrid platform.

6. As requested by each party, a hybrid hearing is one in which at least one party chooses to appear in person, while others choose to appear remotely. A webcast of proceedings will be available to the public through the Commission's website.

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

8. 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 case. Given that the hearing will accommodate remote participation by videoconference, exhibits must be presented electronically.

9. The Public Utilities Commission Administrative Hearings Section uses box.com to receive and manage exhibits that are first presented at remote hearings.¹ As such, it is essential that the parties ensure they can access and use box.com before the hearing. The ALJ is entering orders to facilitate using box.com to manage exhibits during the hearing. To this end, the parties will be provided box.com links and instructions to: (a) upload documents and exhibits for use during the hearing; and (b) download documents and exhibits once they are presented during the hearing.

10. 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 numbered 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 presenting them during the hearing.

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.

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

12. Additional procedural requirements may be issued in future Interim Decisions.

A. Informal Video-Conference Practice Session.

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

14. The parties may contact a Commission Legal Assistant by email at casey.federico@state.co.us and alejandro.aguirrerhode@state.co.us, to schedule an informal practice video-conference session.

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

III. ORDER

A. It Is Ordered That:

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

DATE: November 2, 2022

TIME: 9:00 a.m.

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

WEBCAST: Commission Hearing Room B

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

Optionally, any party may participate remotely by joining a video conference using Zoom at the link provided as to the established parties in an e-mail prior to the scheduled hearing, as addressed above.²

2. The parties and witnesses may not distribute the Zoom link and access code to anyone not participating in the remote hearing.

3. All participants in the hearing must comply with the requirements in Attachments A and B to this Decision, which are incorporated herein and, in the discussion, above.

4. **Video-Conference Participation.** Counsel for the parties, parties, and witnesses may attend in person or participate in the evidentiary hearing by videoconference using the Zoom platform.

5. **Evidence Presentation at the Evidentiary Hearing.** Because the hearing may accommodate remote participation by videoconference, all evidence must be presented electronically. Each party is responsible for ensuring that they and their respective witnesses: (a) have access to all pre-filed exhibits; and (b) can download and view documents available from box.com during the hearing.

6. The Administrative Law Judge will hold an informal Zoom practice session upon request.

7. The parties shall comply with the requirements established in this Interim Decision and shall make the filings as required by the adopted procedural schedule.

² Instructions for using the Zoom videoconferencing platform are provided in Attachment A to this Decision.

8. This Decision shall be effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

G. HARRIS ADAMS

Administrative Law Judge

ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads 'Doug Dean'.

Doug Dean,
Director