

Decision No. R22-0654-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 21N-0634GPS

IN THE MATTER OF THE NOTICE OF PROBABLE VIOLATION ISSUED TO AUDUBON GARDEN APARTMENTS ON DECEMBER 30, 2021

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
G. HARRIS ADAMS
REQUIRING PARTIES TO CONFER AND STAFF
TO FILE TERMS FOR ALTERNATIVE ENFORCEMENT
AND QUARTERLY REPORTS**

Mailed Date: October 25, 2022

I. STATEMENT

A. Background

1. On December 30, 2021, the Staff of the Public Utilities Commission (Staff) initiated this matter by issuing its Notice of Probable Violation (NPV) to Centre Apartment Homes dba Audubon Garden Apartments, also known as PLC Centre Apartments, LLC (Audubon).

2. On March 30, 2022, Staff filed its Notice of Defective Service and Amended Notice of Probable Violation, after the first NPV was returned as undeliverable.

3. On April 28, 2022, after a change in ownership, Audubon filed its Response Letter to the NPV with the Public Utilities Commission (Commission), opting to Admit and Elect Alternative Enforcement for each of the violations in the NPV.

4. On August 31, 2022, the Commission referred this proceeding to an Administrative Law Judge (ALJ) by minute entry.

5. In order to keep the Commission informed, Staff will be ordered to file the terms for Alternative Enforcement, status reports as to the progress in resolving the matter and

expectations regarding the filing of evidence of resolution and a motion to dismiss (or otherwise dispose of the proceeding). Thus, Staff shall confer with Audubon and file the terms for Alternative Enforcement on or before November 24, 2022, and file quarterly status reports after holding quarterly conferrals until evidence of resolution and motion to dismiss (or otherwise dispose of the proceeding) is filed, commencing in three months following the filing of the terms for Alternative Enforcement.

II. ORDER

A. It Is Ordered That:

1. Staff of the Public Utilities Commission (Staff) shall confer with Centre Apartment Homes dba Audubon Garden Apartments, also known as PLC Centre Apartments, LLC and file the terms for Alternative Enforcement on or before November 24, 2022, and thereafter hold quarterly conferrals and file quarterly reports, commencing on February 24, 2023, informing the Commission as to progress toward filing evidence of resolution and a motion to dismiss (or otherwise dispose of the proceeding), expectations regarding the filing of evidence of resolution and motion to dismiss (or otherwise dispose of the proceeding), and whether any party believes it necessary to establish a new procedural schedule.

2. Staff shall file a status report of each quarterly conferral identified above on or before February 24, 2023, May 24, 2023, August 24, 2023, etc., or until evidence of resolution and a motion to dismiss (or otherwise dispose of this proceeding) is filed.

3. This Decision is 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