

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 21N-0646GPS

IN THE MATTER OF THE NOTICE OF PROBABLE VIOLATION ISSUED TO MOUNT
AIRE MOBILE HOME PARK ON JANUARY 4, 2022.

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

Mailed Date: October 25, 2022

I. STATEMENT

A. Background

1. On January 4, 2022, the Staff of the Public Utilities Commission (Staff) initiated this matter by issuing its Notice of Probable Violation (NPV) to Mount Aire Mobile Home Park, also known as Registered Agents INC dba Depew MHP LLC (Mount Aire).

2. On April 8, 2022, Staff filed its Notice of Defective Service and Amended Notice of Probable Violation, after the first NPV was returned as undeliverable due to a change in ownership of Mount Aire. The amended NPV and Notice of Defective Service were addressed to MP Mountain Air MHC LLC, the new owner.

3. On April 25, 2022, after the change in ownership, Mount Aire 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 Mount Aire 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 a 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 MP Mountain Air MHC LLC and file the terms of 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