

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 22A-0074CP

IN THE MATTER OF THE APPLICATION OF COLORADO MOBILE MUSIC INC. FOR A
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A
COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
ALENKA HAN
CONVERTING IN-PERSON HEARING INTO REMOTE
HEARING AND PROVIDING INSTRUCTIONS**

Mailed Date: November 9, 2022

I. STATEMENT

A. Relevant Background

1. On February 14, 2022, Colorado Mobile Music Inc. (Applicant) filed the above-captioned proceeding with the Colorado Public Utilities Commission (Commission).
2. Mountain Star Transportation, LLC, doing business as Explorer Tours (Mountain Star) is an Intervenor in this proceeding. No other parties remain.
3. On October 7, 2022, Applicant filed its exhibits, a final exhibit list, and its list of witnesses, along with a description of each witnesses' anticipated testimony.
4. On October 27, 2022, Mountain Star filed exhibits supplementing the exhibits it had filed July 21, 2022, along with its final witness and exhibit lists.
5. An in-person hearing is currently scheduled for November 17, 2022, at 9:00 a.m.

B. Impact of COVID-19 on Hearing

6. On March 10, 2020, Colorado Governor Jared Polis declared a state of emergency over the novel coronavirus pandemic (COVID-19). The Governor lifted the state of emergency by executive order on July 8, 2021. Throughout the COVID-19 pandemic, the Commission has acted to minimize any disruption of its services while maximizing access to its services. The Commission continues to mitigate the risks of infection to State employees and the public.

7. Statistics from the Colorado Department of Public Health & Environment indicate that COVID-19 is once again spreading and circulating more widely. In addition, the State has seen significant spread of influenza and respiratory illnesses, including respiratory syncytial virus (RSV).

8. The hearing in this proceeding is scheduled to occur one week before the Thanksgiving holiday. The Commission is cognizant that an in-person hearing could increase the spread of the above-described viruses. The Commission recognizes that further spread of these viruses at the hearing could jeopardize the health and safety of the parties, the Commission, and Commission staff.

9. The hearing is scheduled to permit in-person participation. However, under the present circumstances, the ALJ will change the method by which the hearing will be conducted from in-person to remote. The in-person hearing scheduled for November 17, 2022, shall be converted into a remote hearing at which the participants will appear from remote locations, as provided below. The ALJ finds that holding a remote hearing is consistent with current public health situation and is intended to prevent the further spread of COVID-19 or other viruses identified above. The ALJ concludes that it is in the best interest of all affected to hold the hearing in this proceeding as a remote hearing.

C. Instructions for Participating in, and Observing, the Remote Hearing

10. Attachment A to this Decision provides the information addressing how to use the Zoom platform for participating in the remote hearing.

D. Instructions for Presenting Exhibits Electronically at the Remote Hearing

11. The instructions for the electronic presentation of exhibits appended as Attachment A to Decision No. R22-0566-I, issued September 21, 2022, remain in effect, and will be adhered to during the remote hearing to be held on November 17, 2022.

E. Informal Video-Conference Practice Session

12. 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.

13. 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.

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

II. ORDER

A. It Is Ordered That:

1. The in-person hearing scheduled for November 17, 2022, is converted into a remote hearing as follows:

DATE: November 17, 2022

TIME: 9:00 a.m.

FOR WEBCASTS: Hearing Room B

METHOD: Join by video conference at the link to be provided by an email from the Administrative Law Judge

2. Nobody should attend the remote hearing in-person at the offices of the Commission.

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

4. **Instructions for Remote Hearings Via Zoom:** Detailed instructions governing participation in and procedures for remote hearings conducted via Zoom are set out in Attachment A to this order, which is incorporated into and made part of this order.

5. This Order is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ALENKA HAN

Administrative Law Judge

ATTEST: A TRUE COPY

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

Doug Dean,
Director