

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 24M-0556TO

IN THE MATTER OF THE PETITION OF BULLDOGS RECOVERY L.L.C. TO REVERSE AN INITIAL TOWING PERMIT DENIAL PURSUANT TO 40-10.1-401(2)(B), C.R.S., AND RULE 6504(D).

**INTERIM DECISION
LIFTING STAY AND ADOPTING PROCEDURAL
SCHEDULE**

Issued Date: May 27, 2025

I. STATEMENT

1. On December 20, 2024, Petitioner Bull Dog Recovery (“Petitioner”) filed a Petition to reverse an initial determination of driver disqualification pursuant to § 40-10.1-401(2)(b), C.R.S.
2. During the Commissioners’ Weekly Meeting on January 8, 2025, the matter was referred by minute entry to an Administrative Law Judge (“ALJ”) for disposition.
3. On January 8, 2025, Trial Staff of the Public Utility Commission (“Staff”) filed its Notice of Intervention as of Right, Entry of Appearance and Notice Pursuant to Rule 1007(a) and Rule 1401, and Request for Hearing.
4. On January 22, 2025, by Decision No. R25-0047-I, the parties were ordered to file an update on open court cases concerning the Petitioner. The filing was required to be made by March 7, 2025.
5. On March 7, 2025, Staff made a filing updating the open court cases involving the Petitioner. The Petitioner did not make the ordered filing.

6. On March 20, 2025, by Decision No. R25-0204-I, a prehearing conference was scheduled for April 16, 2025.

7. On April 24, 2025, by Decision No. R25-0308-I, a procedural schedule was adopted.

8. On May 9, 2025, the Petitioner filed his Extension Request. The Extension Request was filed due to a state court case that was pending against the Petitioner.

9. On May 15, 2025, by Decision No. R25-0362-I, the undersigned ALJ, *sua sponte*, stayed the proceedings until the Petitioner advised the Commission that he could continue the Proceeding.

10. On May 14, 2025, the Petitioner made a filing stating his state case had concluded and wished for the stay in the above-captioned proceeding be lifted.

II. LIFTING STAY AND NEW PROCEDURAL SCHEDULE

11. Since the Petitioner's state case appears to have concluded and he has requested the stay be lifted in the matter, the stay shall be lifted in the above-captioned proceeding.

12. The following procedural schedule shall be adopted:

On or before **June 13, 2025**, Petitioner is ordered to file and serve on Staff: (a) a list that identifies the witnesses Petitioner 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 Petitioner will present at the hearing.

On or before **July 11, 2025**, Staff is ordered to file and serve on Petitioner: (a) a list that identifies the witnesses Staff 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 Staff will present at the hearing.

13. An evidentiary hearing shall be held on July 22, 2025, commencing at 9:00 am.

14. Either party may file a motion to reschedule the hearing if they or their witnesses are unavailable on July 22, 2025. Any motion to reschedule shall, after conferral, include dates when both parties are available for an evidentiary hearing

15. The undersigned ALJ will decide after any evidentiary hearing if statements of position shall be necessary.

16. 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 and in hard copy from the Commission.

17. 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

A. Unified Numbering System for Hearing Exhibits

18. 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 number as page 1.

¹ 4 CCR 723-1.

² See Rule 1205(e), 4 CCR 723-1.

19. 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.

20. To efficiently organize the numbering and preparation of exhibits for the hearing, the parties shall use a unified numbering system for all hearing exhibits. Blocks of hearing exhibit numbers are assigned as follows:

- Petitioner is assigned hearing exhibit numbers 100 to 199; and
- Staff is assigned hearing exhibit numbers 200 to 299.

B. Additional Procedural Notices and Advisements

21. The parties are on notice that the ALJ will retain the discretion to change the method by which the hearing will be conducted.

22. Additional procedural requirements may be addressed in future Interim Decisions.

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

24. The Parties are also on notice that failure to appear at the scheduled evidentiary hearing may result in decisions adverse to their interest.

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

26. 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; (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

III. ORDER

It is Ordered That:

1. The stay in the above-captioned proceeding is lifted.
2. An evidentiary hearing in this proceeding is scheduled as follows:

DATE: July 22, 2025

TIME: 9:00 a.m.

PLACE: Join by videoconference using Zoom

3. Participants in the hearing may not distribute the hearing link, access, or ID code to anyone not participating in the hearing. Participants may not appear in person at the Commission for the above-scheduled hearing. Instead, they must participate in the hearing from remote locations, consistent with the requirements of this Decision.

4. All participants must comply with the requirements in Attachment A and B to this Decision, which is incorporated into this Decision.

5. The Parties shall be held to the advisements in this Decision.
6. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ROBERT I. GARVEY

Administrative Law Judge

ATTEST: A TRUE COPY

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

Rebecca E. White,
Director