

Decision No. R25-0566-I

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO**

PROCEEDING NO. 25G-0289EC

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COLORADO PUBLIC UTILITIES COMMISSION,

COMPLAINANT,

V.

STYLE CAR SERVICE LLC,

RESPONDENT.

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**INTERIM DECISION  
ACKNOWLEDGING STAFF AS A PARTY AND  
REQUIRING STAFF TO FILE PROOF OF SERVICE**

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Issued Date: August 4, 2025

**I. STATEMENT, SUMMARY, AND PROCEDURAL HISTORY**

**A. Statement and Summary**

1. This Decision acknowledges Public Utilities Commission (“Commission”) Trial Staff (“Staff”) as a party and requires Staff to make a filing establishing that it properly served Civil Penalty Assessment Notice (“CPAN”) No. 140765 (“the CPAN”) on Style Car Service LLC (“Style Car” or “Respondent”) by August 18, 2025.

**B. Procedural History**

2. On June 27, 2025, Staff initiated this matter by filing the CPAN against Respondent.

3. The CPAN alleges that on June 18, 2024, Respondent violated §§ 40-10.1-107(1), and 40-10.1-302(1)(a), C.R.S., and that based on these violations, Respondent should be assessed a civil penalty of up to \$13,915.<sup>1</sup>

4. On July 14, 2025, Staff filed a “Notice of Intervention as of Right . . . Entry of Appearance, Notice Pursuant to Rule 1007(a) and Rule 1401, and Request for Hearing” (“Intervention”).

5. On July 23, 2025, the Commission referred this matter by minute entry to an administrative law judge (“ALJ”) for disposition.

## **II. FINDINGS AND CONCLUSIONS**

### **A. Staff’s Intervention**

6. Per Rule 1401(e), of the Commission’s Rules of Practice and Procedure, 4 *Code of Colorado Regulations* (“CCR”) 723-1, Staff may intervene of right in any Commission proceeding. Based on this and its Intervention, Staff is acknowledged as a party to this Proceeding.

### **B. Proof of Service**

7. Valid service of process is mandatory to ensure basic due process (*i.e.*, notice of the claims).<sup>2</sup> Under § 40-7-116(1)(b), C.R.S., a CPAN may be served by certified mail or in person by a Commission enforcement official, or by personal service by a person authorized do so per Rule 4(d) of the Colorado Rules of Civil Procedure. Rule 6006(a) requires regulated motor carriers to provide the Commission their “designation of name, mailing address, and physical address of a Person upon whom service may be made of any lawful notice, order, process, or demand. The named Person is the Motor Carrier's designated agent for service as provided in these rules and

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<sup>1</sup> CPAN at 1.

<sup>2</sup> See *Bush v. Winker*, 892 P.2d 328, 332 (Colo. App. 1994).

under Colorado statutes.”<sup>3</sup> Service upon the motor carrier’s designated agent on file with the Commission amounts to service on the motor carrier.<sup>4</sup> In addition, Rule 1205(d) provides that “service upon a private corporation, partnership, or unincorporated association may be made by delivering a copy to one or more of the officers, partners, associates, managers or designated agents thereof.”<sup>5</sup> Based on the foregoing authorities, a CPAN must be served by certified mail on the carrier’s designated agent at the address on file for the carrier’s designated agent, by certified mail to the carrier’s officers, partners, associates, or managers (when the carrier is a corporation, partnership, or unincorporated association), or in person upon a carrier’s designated agent or officers, partners, associates, or managers) when the carrier is a corporation, partnership, or unincorporated association).<sup>6</sup>

8. The CPAN indicates that it was sent to Respondent by certified mail, return receipt requested on June 27, 2025.<sup>7</sup> The CPAN fails to provide any information about this mailing, including whether it was addressed to Respondent’s designated agent on file with the Commission; whether it was sent to the address on file for Respondent’s designated agent; whether it was addressed to Respondent’s officers, partners, associates, or managers; or whether it was sent to the address on file for Respondent’s officers, partners, associates, or managers.

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<sup>3</sup> Rule 6006(a) of the Commission’s Rules Regulating Transportation by Motor Vehicle, 4 *Code of Colorado Regulations* (“CCR”) 723-6.

<sup>4</sup> Rule 6006(c), 4 CCR 723-6. In addition, notice sent to a carrier’s designated agent on file with the Commission is *prima facie* evidence that the carrier received the notice. Rule 6006(d), 4 CCR 723-6. Motor carriers are required to notify the Commission within two days of any changes in the designated agent’s identity, name, mailing and physical addresses, email, or phone number. Rule 6006(b), 4 CCR 723-6. This requirement ensures that the Commission can rely on the designated agent information on file for a motor carrier.

<sup>5</sup> Rule 1205(d) of the Commission’s Rules of Practice and Procedure, 4 CCR 723-1.

<sup>6</sup> § 40-7-116(1)(b), C.R.S.; Rule 6006(a) and (c), 4 CCR 723-6 and Rule 1205(d), 4 CCR 723-1.

<sup>7</sup> CPAN at 2.

9. Staff previously attempted to prosecute the same CPAN against Respondent in Proceeding No. 24G-0353EC.<sup>8</sup> The matter was dismissed without prejudice after an evidentiary hearing because Staff failed to establish that it properly served the CPAN on Respondent.<sup>9</sup> Given this, and that the CPAN here fails to provide enough information to confirm that Staff properly served Respondent, the ALJ will not schedule this matter for an evidentiary hearing until Staff makes a filing establishing that it properly served the CPAN on Respondent. The ALJ finds that this serves administrative economy and efficiency.

10. For the reasons and authorities discussed, Staff will be required to file an affidavit establishing that it properly served Respondent with the CPAN, consistent with the service requirements discussed above. *Staff is on notice* that this matter will not move forward unless and until Staff provides satisfactory evidence that the CPAN was properly served, and that if Staff fails to do so, this matter may be dismissed without prejudice.

### **III. ORDER**

#### **A. It Is Ordered That:**

1. Consistent with the above discussion, Colorado Public Utilities Commission Trial Staff (“Staff”) is acknowledged as a party to this Proceeding.

2. On or by August 18, 2025, Staff must file an affidavit establishing that it properly served Style Car Service LLC with Civil Penalty Assessment Notice No. 140765 filed June 27, 2025 in this Proceeding, consistent with the legal authority discussed above.

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<sup>8</sup> See Decision No. R25-0286 (issued April 16, 2025) in Proceeding No. 24G-0353EC; CPAN filed August 20, 2024 in Proceeding No. 24G-0353EC.

<sup>9</sup> Decision No. R25-0286 at 6 in Proceeding No. 24G-0353EC.

3. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

MELODY MIRBABA

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Administrative Law Judge

ATTEST: A TRUE COPY

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

Rebecca E. White,  
Director