

Decision No. R14-0030

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 13G-1350CP

COLORADO PUBLIC UTILITIES COMMISSION,

COMPLAINANT,

V.

MKBS LLC DOING BUSINESS AS METRO TAXI,

RESPONDENT.

**RECOMMENDED DECISION OF
ADMINISTRATIVE LAW JUDGE
ROBERT I GARVEY
ACCEPTING PAYMENT AND CLOSING PROCEEDING**

Mailed Date: January 10, 2014

I. STATEMENT

1. This proceeding concerns Civil Penalty Assessment Notice (CPAN) No. 107806 issued by Commission Staff against Respondent, MKBS LLC, doing business as Metro Taxi (Metro). The CPAN assessed Metro a total penalty of \$605.00 (including a 10 percent surcharge) for violations of *Rule 6253(c) of the Rules Regulating Transportation by Motor Vehicle, 4 Code of Colorado Regulations 723-6*.

2. CPAN No. 107806 was served upon Metro on December 17, 2013 and allowed Metro to pay a reduced amount of \$302.50 (including a 10 percent surcharge) within ten days of being served with the CPAN.

3. On December 18, 2013, Metro paid the Commission \$302.50, the reduced amount of the penalty (including a 10 percent surcharge), assessed by CPAN No. 107806.

4. On January 8, 2014, the Commission referred this matter to an Administrative Law Judge (ALJ) for disposition.

5. The ALJ finds Metro liable for the violation in CPAN No. 107806 and that payment has been made of the total penalty therefor. The Commission accepts the payment and acknowledgment of liability.

6. This matter is now fully resolved and Proceeding No. 13G-1350CP may be closed.

7. In accordance with § 40-6-109, C.R.S., it is recommended that the Commission enter the following order.

II. ORDER

A. The Commission Orders That:

1. MKBS LLC, doing business as Metro Taxi is liable for the violations set forth in Civil Penalty Assessment Notice No. 107806.

2. Payment of the total penalty amount of \$302.50 is accepted and Civil Penalty Assessment Notice No. 107806 is paid in full.

3. Proceeding No. 13G-1350CP is closed.

4. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if that is the case, and is entered as of the date above.

5. As provided by § 40-6-109, C.R.S., copies of this Recommended Decision shall be served upon the parties, who may file exceptions to it.

a) If no exceptions are filed within 20 days after service or within any extended period of time authorized, or unless the decision is stayed by the Commission upon its own motion, the recommended decision shall become the decision of the Commission and subject to the provisions of § 40-6-114, C.R.S.

b) If a party seeks to amend, modify, annul, or reverse basic findings of fact in its exceptions, that party must request and pay for a transcript to be filed, or the parties may stipulate to portions of the transcript according to the procedure stated in § 40-6-113, C.R.S. If no transcript or stipulation is filed, the Commission is bound by the facts set out by the administrative law judge and the parties cannot challenge these facts. This will limit what the Commission can review if exceptions are filed.

6. If exceptions to this Decision are filed, they shall not exceed 30 pages in length, unless the Commission for good cause shown permits this limit to be exceeded.

(S E A L)



ATTEST: A TRUE COPY

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ROBERT I. GARVEY

Administrative Law Judge