

Decision No. R14-0126

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 13G-1305CP

COLORADO PUBLIC UTILITIES COMMISSION,

COMPLAINANT,

V.

MKBS LLC DOING BUSINESS AS METRO TAXI,

RESPONDENT.

**RECOMMENDED DECISION OF
ADMINISTRATIVE LAW JUDGE
G. HARRIS ADAMS
ACCEPTING PAYMENT AND CLOSING PROCEEDING**

Mailed Date: February 3, 2014

I. STATEMENT

1. This proceeding concerns Civil Penalty Assessment Notice (CPAN) No. 108093 issued by Commission Staff on December 10, 2013 against Respondent MKBS LLC, doing business as Metro Taxi (Metro or Respondent). The CPAN assessed Metro a total penalty of \$605.00 for one violation of Rule 6253(b) of the *Rules Regulating Transportation by Motor Vehicle*, 4 *Code of Colorado Regulations* 723-6, including an additional 10 percent surcharge. CPAN No. 108093 was served upon Metro on December 11, 2013.

2. By Decision No. R14-0124-I issued February 3, 2014, a hearing is scheduled to commence in this matter on March 3, 2014.

3. CPAN No. 108093 states that payment of the reduced penalty amount shown in the section “Total Amount if Paid Within Calendar 10 Days” will be accepted by the Commission as full payment of the CPAN. Payment of the total reduced penalty amount constitutes acknowledgement by Respondent of liability for the violations alleged in the CPAN. In this case, the total reduced penalty amount (if paid within ten days) is \$302.50, including the additional 10 percent surcharge.

4. On December 12, 2013, Respondent Metro timely paid the total reduced penalty amount for count 1 to the Commission, constituting acknowledgement by Respondent of liability.

5. Metro’s payment resolves this matter. As a result, Proceeding No. 13G-1305CP may now be closed.

6. 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. Payment of the total reduced penalty amount of \$302.50, including the additional 10 percent surcharge, set forth in Civil Penalty Assessment Notice No. 108093 by MKBS LLC, doing business as Metro Taxi is accepted as full payment of the Civil Penalty Assessment Notice.

2. The hearing scheduled to commence in this matter on March 3, 2014 is vacated.

3. Proceeding No. 13G-1305CP 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)



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