

Decision No. R14-0197

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14G-0046EC

COLORADO PUBLIC UTILITIES COMMISSION,

COMPLAINANT,

V.

GERALD MARTIN PRICE JR DOING BUSINESS AS PRICE LUXURY
TRANSPORTATION,

RESPONDENT.

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

Mailed Date: February 24, 2014

I. STATEMENT

1. This proceeding concerns Civil Penalty Assessment Notice (CPAN) No. 108473 issued by Commission Staff on December 27, 2013 against Respondent Gerald Martin Price, Jr., doing business as Price Luxury Transportation (Price). The CPAN assessed Price a total penalty of \$275.00 for one violation of Rule 6102(a)(I) of the *Rules Regulating Transportation by Motor Vehicle*, 4 *Code of Colorado Regulations* 723-6 and 49 *Code of Federal Regulations* 391.41(a)(1)(i), including an additional 10 percent surcharge. CPAN No. 108473 was served upon Price on January 9, 2014.

2. CPAN No. 108473 states that a hearing may be avoided after this document has become a Notice of Complaint to Appear by paying the full total amount shown in the

“Total Amount” section. Further, payment in full will be accepted by the Commission as an acknowledgement of liability.

3. On February 24, 2014, Respondent Price paid the total penalty amount for all counts to the Commission, constituting acknowledgement by Respondent of liability.

4. By Decision No. R14-0123-I, issued February 3, 2014, a hearing is scheduled to commence in this matter on February 24, 2014.

5. Price’s payment resolves this matter. As a result, the scheduled hearing may be vacated and Proceeding No. 14G-0046EC 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 penalty amount of \$275.00, including the additional 10 percent surcharge, set forth in Civil Penalty Assessment Notice No. 108473 by Gerald Martin Price, Jr., doing business as Price Luxury Transportation is accepted as full payment of the Civil Penalty Assessment Notice.

2. The hearing scheduled to commence in this matter on February 24, 2014 is vacated.

3. Proceeding No. 14G-0046EC 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

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

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

G. HARRIS ADAMS

Administrative Law Judge