

Decision No. R14-0360-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14V-0232CP

IN THE MATTER OF THE PETITION FOR WAIVER/VARIANCE OF SAFETY
REGULATIONS-DRIVER OF COMMISSION RULE 4 CCR 723-6-6102(A) OF
MR. MIKE M. PORRAS.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
PAUL C. GOMEZ
RE-SETTING HEARING**

Mailed Date: April 4, 2014

I. STATEMENT

1. On March 17, 2014, Mr. Mike M. Porras, Jr. (Petitioner) filed a Petition for Waiver of Safety Regulations-Driver (Petition). Petitioner seeks a waiver of Commission Rule 4 *Code of Colorado Regulations* (CCR) 723-6-6102(a) of the Commission's Rules Regulating Transportation by Motor Vehicle, to allow him to operate a taxi. Petitioner does not indicate for what period of time he requests a waiver.

2. By Interim Decision No. R14-0315-I issued March 26, 2014, a hearing was set in this matter for April 3, 2014 by telephone for the convenience of Petitioner. By that Interim Decision, Petitioner was instructed to call the Commission at 9:55 a.m., five minutes prior to the commencement of the hearing. At 9:55 a.m. on April 3, 2014, the undersigned Administrative Law Judge and the court reporter were prepared for the telephone hearing. However, Petitioner failed to call in at the scheduled time. The hearing was delayed until 10:20 a.m., but again, Petitioner failed to call in during that time. As a result, the hearing was vacated.

3. Petitioner will be afforded one more opportunity to present his case at an evidentiary hearing regarding his request for waiver of Commission Rule 4 CCR 723-6-6102(a). However, because Petitioner failed to take advantage of the opportunity to hold the hearing by telephone, Petitioner will now be required to appear in person.

4. An evidentiary hearing on the Petition will be scheduled for Friday, April 11, 2014. Petitioner is on notice that failure to appear at the evidentiary hearing will result in dismissal of the Petition.

II. ORDER

A. It Is Ordered That:

1. An evidentiary hearing is scheduled in this matter as follows:

DATE: April 11, 2014

TIME: 10:00 a.m.

PLACE: Hearing Room
Colorado Public Utilities Commission
1560 Broadway, Suite 250
Denver, Colorado 80202

2. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

PAUL C. GOMEZ

Administrative Law Judge

ATTEST: A TRUE COPY

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

Doug Dean,
Director