

Decision No. R14-1490-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14A-1047BP

IN THE MATTER OF THE APPLICATION OF EZ CARE TRANSPORTATION LLC FOR A
PERMIT TO OPERATE AS A CONTRACT CARRIER BY MOTOR VEHICLE FOR HIRE.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
MELODY MIRBABA
SCHEDULING PREHEARING CONFERENCE**

Mailed Date: December 17, 2014

I. STATEMENT

1. On October 23, 2014, EZ Care Transportation LLC (EZ Care) filed the above-captioned Application, which it amended on October 30, 2014.

2. The Commission provided public notice of the amended Application on November 3, 2014.

3. MKBS LLC, doing business as Metro Taxi, and Colorado Cab Company LLC, doing business as Denver Yellow Cab and Boulder Yellow Cab, and Shamrock Taxi of Fort Collins, Inc., timely intervened of right. The interveners object to EZ Care's Application. The interveners request a hearing on the Application.

4. During the Commission's weekly meeting held December 10, 2014, the Commission deemed the Application complete and referred it to an administrative law judge (ALJ) for disposition.

5. In anticipation of the hearing on the Application, the undersigned ALJ is scheduling a prehearing conference in accordance with Rule 1409(a) of the Rules of Practice and Procedure, 4 *Code of Colorado Regulations* 723-1.

6. At the prehearing conference, the ALJ will provide information concerning the procedural aspects of this case, will schedule a hearing on the Application, will establish deadlines for the parties to file and serve all evidence they wish to be considered in support of their position in this proceeding, and will expect EZ Care to address the below issues.

7. EZ Care's Application indicates it wishes to be represented by a non-attorney in this proceeding. The Application addresses several aspects of Rule 1200(b)(I), 4 CCR 723-1, and §13-1-127, C.R.S., but it does not adequately address all requirements for a party to be represented by a non-attorney. In particular, while it asserts that less than \$15,000 are at issue in this proceeding, it provides no factual basis for this assertion; nor does it provide information sufficient for the ALJ to determine that the person designated to represent EZ Care has authority to do so. During the prehearing conference, the ALJ will hear an offer of proof from EZ Care to address these issues.

8. All parties are expected to appear at the prehearing conference.

9. The parties are advised and on notice that failure to appear at the prehearing conference may result in dismissal of the Application without prejudice, or a decision denying an intervenor the ability to participate in this proceeding.

II. ORDER

A. It Is Ordered That:

1. A prehearing conference in this proceeding is scheduled as follows:

DATE: January 8, 2015

TIME: 10:00 a.m.

PLACE: Commission Hearing Room
1560 Broadway, 2nd Floor
Denver, Colorado

2. All parties shall appear at the prehearing conference and shall be prepared to address the matters identified above.

3. This Decision is effective immediately.

(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

MELODY MIRBABA

Administrative Law Judge