

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 19M-0230TR

IN THE MATTER OF THE PETITION OF ROBERT LAWRENCE VELHO TO REVERSE AN
INITIAL DRIVER DISQUALIFICATION PURSUANT TO RULE 6105 OF 4 CCR 723-6.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
CONOR F. FARLEY
VACATING AND RESCHEDULING HEARING AND
PROVIDING ADDITIONAL ADVISEMENTS**

Mailed Date: July 16, 2019

I. STATEMENT

A. Background

1. On May 2, 2019, Robert Lawrence Velho (Petitioner) filed a letter asking the Commission to reverse an initial determination by Commission Staff disqualifying him from driving for a limited regulation passenger carrier and/or taxi carrier on the basis of a fingerprint-based criminal history record check, pursuant to Rule 6105, 4 *Code of Colorado Regulations* (CCR) 723-6 (2016) of the Commission's Rules Regulating Transportation by Motor Vehicle. The Commission construed Petitioner's letter as a Petition to reverse the initial driver disqualification determination and initiated the instant Proceeding.

2. On May 15, 2019, the matter was referred to an Administrative Law Judge (ALJ) for resolution. The proceeding was subsequently assigned to the undersigned ALJ.

3. On June 5, 2019, the ALJ issued Decision No. R19-0472-I that, among other things, scheduled the hearing in this proceeding for July 11, 2019.

4. On June 7, 2019, Trial Staff of the Commission (Staff) filed its Notice of Intervention in this proceeding.

5. On July 10, 2019, the Commission received correspondence from Petitioner stating that he could not attend the hearing scheduled for July 11, 2019 due to his work schedule in Steamboat Springs.

6. The ALJ informed the parties to this proceeding by email on July 10, 2019 that in light of Petitioner's correspondence the hearing would be vacated and rescheduled. The ALJ requested the parties to identify in response to the email which of the following dates they were available for the rescheduled hearing: July 12, 15, 17, 18, 29, 31, and August 1. The parties responded and indicated that they are both available on July 31, 2019. Petitioner also requested permission to attend the hearing by telephone, and Staff does not object thereto.

B. Hearing, Exhibits, and Other Advisements

7. Based on the foregoing, the hearing scheduled for July 11, 2019 is vacated and reset to July 31, 2019 at 10:30 a.m.

8. At the hearing, the parties may call witnesses in support of their respective positions.

9. The parties shall file in this proceeding any exhibits they wish to introduce at the hearing by July 30, 2019. In addition to service required by the applicable law, Staff shall serve its exhibits by emailing them to Petitioner at robert.velho@yahoo.com.

10. All parties are required to be present at the hearing. Petitioner is permitted to attend the hearing by telephone. Petitioner shall be available on July 31, 2019 starting at 10:25 a.m. at (970) 819-3062 to be contacted by the Commission. If Petitioner would prefer to

receive the telephone call at a different telephone number, Petitioner must file a document stating as much and identifying the telephone number.

11. If a party is unable to attend the hearing, the party shall file a motion to reschedule prior to the hearing. The motion shall state the reason the party is unable to attend and state the days the party is available for a rescheduled hearing.

12. **Petitioner is advised again and is on notice that,** if he continues to represent himself in this proceeding, he will be bound by – and the ALJ will hold him to – the same procedural and evidentiary rules as those to which attorneys are held.

13. The Parties are advised and are on notice that this proceeding is governed by the Rules of Practice and Procedure found at 4 CCR 723-1. The ALJ expects the Parties to be familiar with and to comply with these rules. The rules are available on the Commission's website (<http://www.dora.colorado.gov/puc>) and in hard copy from the Commission.

II. ORDER

A. It Is Ordered That:

1. The hearing in this proceeding is rescheduled as follows:

DATE: July 31, 2019
TIME: 10:30 a.m.
PLACE: Commission Hearing Room B
1560 Broadway, Suite 250
Denver, Colorado

2. The parties shall file in this proceeding any exhibits they wish to introduce at the hearing by July 30, 2019. In addition to any other service required by the applicable law, Trial Staff of the Commission shall serve its exhibits by emailing them to Robert Lawrence Velho at robert.velho@yahoo.com.

3. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

CONOR F. FARLEY

Administrative Law Judge

ATTEST: A TRUE COPY

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

Doug Dean,
Director