

Decision No. R04-0717

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04G-332EC

COLORADO PUBLIC UTILITIES COMMISSION,

COMPLAINANT,

V.

A COMPANY 4 U, D/B/A A LIMO 4 U,

RESPONDENT.

**RECOMMENDED DECISION OF
ADMINISTRATIVE LAW JUDGE
KEN F. KIRKPATRICK
ACCEPTING PAYMENT OF CIVIL
PENALTY AND CLOSING DOCKET**

Mailed Date: June 28, 2004

I. STATEMENT

1. This proceeding was instituted by the issuance of Civil Penalty Assessment Notice (CPAN) No. 28599 on June 21, 2004. The CPAN alleged one safety violation, namely, inadequate tire tread depth, on May 7, 2004. The penalty set forth on the CPAN was \$200, or \$100 if paid within ten days.

2. On June 21, 2004, the Commission received payment in the amount of \$100. Since the payment was received within ten days, the payment is payment in full and the docket should be closed.

3. 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 in full for Civil Penalty Assessment Notice No. 28599 in the amount of \$100 is acknowledged. Docket No. 04G-332EC is closed.

2. 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.

3. 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.

4. 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.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Administrative Law Judge