

Decision No. R25-0118-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 24F-0430CP

ROMAN LYSENKO,

COMPLAINANT,

V.

303 PARTY BUS LLC AND 303 CONCERT RIDES LLC,

RESPONDENTS.

**INTERIM DECISION
ADOPTING BRIEFING SCHEDULE**

Issued Date: February 19, 2025

I. STATEMENT

1. On October 2, 2024, Roman Lysenko (“Complainant”) filed a Complaint against, 303 Party Bus LLC and 303 Concert Rides (collectively, “Respondents”). That filing commenced this proceeding.

2. On October 9, 2024, Rebecca White, Director, served a copy of the Complaint together with an order requiring the Respondents to satisfy or answer said complaint within 20 days, in accordance with § 40-6-108, C.R.S. An evidentiary hearing was scheduled for December 16, 2024.

3. On October 23, 2024, the above captioned proceeding was referred by minute entry to an Administrative Law Judge (“ALJ”).

4. On October 29, 2024, Respondents filed their Motion to Dismiss Complaint (“Motion to Dismiss”)

5. On October 30, 2024, Mr. Lysenko filed his Response to Motion to Dismiss.

6. On November 8, 2024, Respondents filed their Motion for Leave to Reply and Reply to Response of Roman Lysenko.

7. On November 20, 2024, by Decision No. R24-0848-I, the evidentiary hearing was vacated pending a decision on the Motion to Dismiss.

8. On January 15, 2025, by Decision R25-0029-I, the Motion to Dismiss was denied and a prehearing conference was scheduled for February 13, 2024.

9. On February 7, 2025, Respondents filed their Answer to Complaint.

II. BRIEFING SCHEDULE

10. The parties agreed at the prehearing conference held on February 13, 2025, based on the Answer filed by the Respondents, that an evidentiary hearing is not necessary at this time. The parties agreed to file briefs in support of their positions.

11. The Complainant shall file a motion for summary judgment containing arguments for relief requested by March 21, 2025.

12. The Respondents shall file a response to the motion for summary judgment including any mitigation by April 18, 2025.

13. If an evidentiary hearing is necessary, it shall be scheduled contemporaneously with any decision on the motion for summary judgment.

III. ORDER

It is Ordered That:

1. The Complainant shall file a motion for summary judgment by March 21, 2025.
2. The Respondents shall file a response to any motion for summary judgment by April 18, 2025.
3. If an evidentiary hearing is necessary it shall be scheduled contemporaneously with a decision on any motion for summary judgment.
4. The Parties shall be held to the advisements in this Decision.
5. This Decision shall be effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ROBERT I. GARVEY

Administrative Law Judge

ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Rebecca E. White".

Rebecca E. White,
Director