

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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COLORADO PAY PHONE ASSOCIATION,)	
ET AL.,)	DOCKET NO. 89F-442T
)	
Complainants,)	INTERIM ORDER OF
)	ADMINISTRATIVE LAW JUDGE
v.)	KEM F. KIRKPATRICK
)	
THE MOUNTAIN STATES TELEPHONE AND)	
TELEGRAPH COMPANY, D/B/A U S WEST)	
COMMUNICATIONS, INC.)	
)	
Respondent.)	

December 13, 1989

STATEMENT

On November 22, 1989, the respondent filed its Motion to Prefile Testimony. Respondent seeks an order requiring complainants to file testimony in advance of the hearing. As grounds for the motion the respondent states that the complainants' responses to discovery have been "less than enlightening, and inadequate" and contends that prefiling testimony will allow the parties and the Commission to understand the issues in this case.

No response to the motion was filed.

The motion should be denied. While the Commission does utilize prefiled testimony on occasion it is utilized usually in proceedings with large numbers of witnesses who present lengthy testimony, frequently expert in nature and accompanied by numerical data. The complainants in this proceeding have endorsed only two witnesses. It appears that the three days reserved for hearing will be plenty of time to allow the direct testimony to be rendered live and not become confusing. If the respondent cannot obtain satisfactory responses to discovery it has alternative means to resolve this.

ORDER

IT IS ORDERED THAT:

1. The Motion to Prefile Testimony filed November 22, 1989, by U S WEST Communications, Inc., is denied.

2. This Order shall be effective immediately.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Administrative Law Judge

KFK:emn:1482N:B