

Decision No. R04-0023-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 03G-428CP

COLORADO PUBLIC UTILITIES COMMISSION,

COMPLAINANT,

V.

TONY DASSINGER,

RESPONDENT.

**INTERIM ORDER OF
ADMINISTRATIVE LAW JUDGE
KEN F. KIRKPATRICK
CONTINUING HEARING**

Mailed Date: January 7, 2004

I. STATEMENT

1. This matter was called for hearing on December 19, 2003 in accordance with an Order and Notice of Hearing issued October 23, 2003. The Staff of the Public Utilities Commission (Staff) appeared through its counsel the Office of the Attorney General. The Respondent Tony Dassinger did not appear. Further, it was represented as a preliminary matter that Respondent was in jail and unable to attend the hearing. Staff argued that the hearing should proceed, contending that Respondent could have employed an attorney to represent his interests at this proceeding. Nonetheless, the undersigned Administrative Law Judge (ALJ) continued the hearing.

2. The details surrounding the Respondent's confinement were limited. The ALJ will reset the matter to a point in time in the future to ensure that Respondent has sufficient opportunity to arrange for representation or otherwise explain his circumstances.

II. ORDER

A. It Is Ordered That:

1. The hearing in this matter scheduled for December 19, 2003 is continued. All parties shall notify the Commission within 10 days of the effective date of this Order of their availability for hearing over the next 60 days. Failure to file notice of availability constitutes a waiver of any day eventually selected. Respondent Tony Dassinger shall include an explanation of his confinement and expected release with his notice.

2. This Order shall be effective immediately.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Administrative Law Judge

