

Decision No. C03-0045

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 02F-374T

DAVID L. DOUD AND SUSAN N. DOUD,

COMPLAINANTS,

V.

QWEST CORPORATION,

RESPONDENT.

ORDER GRANTING MOTION TO STRIKE

Mailed Date: January 14, 2003

Adopted Date: January 8, 2003

I. BY THE COMMISSION

A. Statement

1. On December 30, 2002, Complainants David and Susan Doud filed their Motion to Reconsider & Reopen. That motion is essentially a request that we reconsider our decisions in this case dismissing the complaint. Qwest Corporation (Qwest) has filed its Motion to Strike Complainants' Motion to Reconsider.¹ Qwest correctly points out that the Commission's rules of practice do not allow for the filing of a second motion (or application) for reconsideration when a

¹ Qwest's motion to strike was filed on December 26, 2002, a date prior to the actual filing of the motion to reconsider. Apparently, as indicated on the certificate of service attached to their motion, Complainants mailed the motion to reconsider to Qwest several days prior to filing the motion with the Commission.

prior request for reconsideration has already been denied. Therefore, we grant the Motion to Strike.²

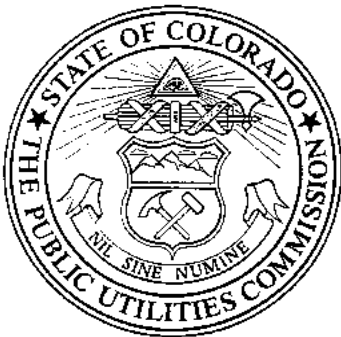
II. ORDER

A. The Commission Orders That:

1. The Motion to Strike by Qwest Corporation is granted.
2. The Motion to Reconsider & Reopen by Complainants David and Susan Doud is stricken.
3. This Order is effective on its Mailed Date.

B. **ADOPTED IN COMMISSIONERS' WEEKLY MEETING January 8, 2003.**

(S E A L)



ATTEST: A TRUE COPY

Bruce N. Smith
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RAYMOND L. GIFFORD

POLLY PAGE

JIM DYER

Commissioners

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² Decision Nos. C02-1266 and C02-1420 pointed out to Complainants--we reiterate that point here--that the present complaint is dismissed *without prejudice*. As such, Complainants are free to initiate another complaint against Qwest under the Commission's Rules of Practice and Procedure.