

Decision No. R04-0247-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 03A-432CP

IN THE MATTER OF THE APPLICATION OF ROCKY MOUNTAIN POWDER, INC.,
4950 SOUTH YOSEMITE, F-2, #118, GREENWOOD VILLAGE, COLORADO 80111 FOR A
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A
COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.

**INTERIM ORDER OF
ADMINISTRATIVE LAW JUDGE
DALE E. ISLEY
SETTING HEARING**

Mailed Date: March 10, 2004

I. STATEMENT

1. On February 27, 2004, the Revised Motion to Vacate and Reschedule Hearing Pending Buyout Discussions and Settlement filed by Rocky Mountain Powder, Inc. (RMPI), was granted. *See*, Decision No. R04-0208-I. That decision vacated hearings scheduled in this matter for March 4 and 5, 2004. It requested that the parties advise the Commission of their availability for re-scheduled hearings in May on or before March 8, 2004.

2. On March 2, 2004, Intervenor, Denver Mountain Express, Inc., filed a pleading indicating that it is available for hearing during the period of May 10 through 21, 2004. On March 5, 2004, Intervenor, David Carrel, doing business as Lift Ticket Limo, filed a pleading indicating that he is available for hearing in May. RMPI did not provide an advisement concerning its availability and, therefore, it will be presumed that it is available for hearing on any business day in May.

3. In light of the foregoing, the matter will be re-scheduled for hearing on May 11 and 12, 2004, and the procedural schedule set forth in the Order that follows will be adopted.

II. ORDER

A. It Is Ordered That:

1. Rocky Mountain Powder, Inc., shall file with the Commission and serve on all parties its list of witnesses and copies of exhibits on or before April 16, 2004.

2. Intervenors shall file with the Commission and serve on all parties their list of witnesses and copies of exhibits or any desired supplemental witness/exhibits list on or before April 30, 2004.

3. The witness/exhibits list filing and service requirements set forth above shall be governed by all applicable provisions of the Commission's *Rules of Practice and Procedure*, 4 *Code of Colorado Regulations* 723-1.

4. This matter is re-scheduled for hearing as follows:

DATES: May 11 and 12, 2004

TIME: 9:00 a.m.

PLACE: Commission Hearing Room
1580 Logan Street, Office Level 2
Denver, Colorado

5. This Order shall be effective immediately.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Administrative Law Judge