

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04A-049BP

IN THE MATTER OF THE APPLICATION OF DIALED-IN-AUTO, LLC, 3060 SOUTH DAHLIA STREET, DENVER, COLORADO 80222 FOR AUTHORITY TO OPERATE AS A CONTRACT CARRIER BY MOTOR VEHICLE FOR HIRE.

**INTERIM ORDER OF
ADMINISTRATIVE LAW JUDGE
DALE E. ISLEY
SHORTENING RESPONSE TIME**

Mailed Date: May 5, 2004

I. STATEMENT

1. The captioned application of Dialed-In-Auto, LLC (Dialed-In), was filed with the Colorado Public Utilities Commission (Commission) on January 29, 2004, and was published in the Commission's "Notice of Applications Filed" on February 9, 2004.

2. Golden West Commuter, LLC (Golden West) and R&R Transportation, Inc. (R&R), filed interventions in this matter.¹

3. On May 4, 2004, Dialed-In filed a Motion to Strike Intervention; Motion to Handle Matter as Unopposed; Motion to Postpone Rule 71(B) Filings Pending Rulings on These Motions; Request for Attorney Fees and Costs (Motions) in this matter.

4. Under Rule 22(b) of the Commission's Rules of Practice and Procedure, 4 *Code of Colorado Regulations* (CCR) 723-1-22, responses to the Motions are due on or before

¹ The Golden West intervention has been withdrawn on the basis of restrictive amendments agreed to by Dialed-In. See, Decision No. R04-0374-I.

May 18, 2004. However, 4 CCR 723-1-22(b) allows the Commission to shorten response time on its own motion. Such a shortening is warranted here in order to preserve the integrity of the procedural schedule previously established in this matter. *See*, Decision No. R04-0439-I.

5. Accordingly, any desired response to the Motions shall be filed by R&R on or before May 11, 2004. Its failure to do so may be deemed a confession of the Motions.

II. ORDER

A. It is Ordered That:

1. Any desired response to the Motion to Strike Intervention; Motion to Handle Matter as Unopposed; Motion to Postpone Rule 71(B) Filings Pending Rulings on These Motions; Request for Attorney Fees and Costs filed in this matter by Dialed-In-Auto, LLC shall be filed by R&R Transportation, Inc., on or before May 11, 2004.

2. This Order shall be effective immediately.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Administrative Law Judge