

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
GRANTING MOTION TO
WITHDRAW AS COUNSEL**

Mailed Date: May 11, 2004

I. STATEMENT

1. On April 29, 2004, a Second Motion for Withdrawal (Motion to Withdraw) was filed in the captioned matter by Gouger and Franzmann, LLC, legal counsel of record for Denver Mountain Express, Inc. (DME).¹ The Motion to Withdraw contained a Certificate of Service indicating that it was served on all parties and DME on April 27, 2004.

2. The Motion to Withdraw was filed pursuant to Rule 21(c) of the Commission's Rules of Practice and Procedure, 4 *Code of Colorado Regulations* 723-1-21(c), and requests that Gouger and Franzmann, LLC be allowed to withdraw as legal counsel for DME in this matter.

3. The ten-day objection period provided by Rule 21(c) has now expired and no response to the Motion to Withdraw, or objection to the relief requested therein, has been filed by

¹ An initial Notice of Withdrawal filed by Gouger and Franzmann, LLC on April 22, 2004, was rejected. See, Decision No. R04-0420-I.

DME or any other party. The Motion to Withdraw is in compliance with Rule 21(c) and will, therefore, be granted.

II. ORDER

A. It Is Ordered That:

1. The Second Motion for Withdrawal filed in the captioned matter by Gouger and Franzmann, LLC, is granted.
2. This Order shall be effective immediately.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Administrative Law Judge