

Decision No. R04-0496-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04A-154CP

IN THE MATTER OF THE APPLICATION OF MICHAEL ALBERT MURRELL,
D/B/A VALLEY TAXI, P.O. BOX 1272, GLENWOOD SPRINGS, COLORADO 81602 FOR
AN EXTENSION OF OPERATIONS UNDER CERTIFICATE OF PUBLIC CONVENIENCE
AND NECESSITY PUC NO. 55723.

**INTERIM ORDER OF
ADMINISTRATIVE LAW JUDGE
DALE E. ISLEY
SHORTENING RESPONSE TIME
TO MOTION FOR CONTINUANCE**

Mailed Date: May 12, 2004

I. STATEMENT

1. The captioned application of Michael Albert Murrell, doing business as Valley Taxi (Valley Taxi), was filed with the Colorado Public Utilities Commission (Commission) on May 29, 2004, and was published in the Commission's "Notice of Applications Filed" (Notice) on April 5, 2004. The application was deemed complete on May 11, 2004.

2. Interventions have been filed in this matter by the following parties: Tazco, Inc., doing business as Sunshine Taxi; Snow Limousine, Inc.; Hy-Mountain Transportation, Inc., doing business as High Mountain Taxi, Inc.; and Vail Valley Taxi, Inc. (collectively, Intervenors).

3. Valley Taxi requested that the hearing of this matter be held in Garfield County, Colorado. Accordingly, the matter was set for hearing on June 8 and 9, 2004, in Glenwood Springs, Colorado, by an Order Setting Hearing and Notice of Hearing issued by the Commission on May 11, 2004.

4. By correspondence dated May 10, 2004, a copy of which is attached hereto as Appendix I, Valley Taxi has requested that the hearing be continued until sometime after May 26, 2004.¹ This correspondence will be construed as a Motion for Continuance.

5. In order to expedite resolution of the Motion for Continuance, response time thereto will be shortened to May 20, 2004. In addition to addressing the relief requested by the subject motion, Intervenor shall also provide advisements concerning their availability for a re-scheduled hearing in Glenwood Springs during the period of May 27, 2004 through August 9, 2004. It will be presumed that any Intervenor failing to do so will be available for hearing on any business day within that period.

6. On or before May 20, 2004, Valley Taxi shall provide an advisement concerning its availability for a re-scheduled hearing in Glenwood Springs during the period of May 27, 2004 through August 9, 2004. In the absence of such an advisement, it will be presumed that Valley Taxi will be available for hearing on any business day within that period.

7. On or before May 20, 2004, Valley Taxi shall also provide an advisement concerning the identity of its representative in this matter. If Mr. Murrell intends to represent himself on a *pro se* basis he should so advise the Commission and the parties and Mr. Whisett should submit an appropriate request to withdraw as Valley Taxi's legal counsel. If Mr. Whisett will continue to represent Valley Taxi, he should so indicate and should thereafter sign all future

¹ The subject correspondence was submitted by Mr. Murrell notwithstanding the fact that both the application submitted in this docket and the Notice indicate that Valley Taxi is represented by legal counsel, Tim Whisett, Esq. There is no indication that Vail Valley served Intervenor with a copy of this correspondence as required by Rule 7(b)(2) of the Commission's Rules of Practice and Procedure, 4 *Code of Colorado Regulations* 723-1-7. Vail Valley is advised that its failure to serve all parties with any future pleadings or other documents filed in this matter will cause such pleadings/documents to be rejected and/or the relief requested therein to be summarily denied.

pleadings, motions, or other papers submitted in this matter on its behalf. *See, 4 Code of Colorado Regulations 723-1-11.*

II. ORDER

A. It is Ordered That:

1. Any desired response to the Motion for Continuance filed in this matter by Michael Albert Murrell, doing business as Valley Taxi, shall be filed on or before May 20, 2004.
2. On or before May 20, 2004, the parties to this proceeding shall submit the advisements requested in Section I, Paragraphs 5, 6, and 7 of this Order.
3. This Order shall be effective immediately.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Administrative Law Judge