

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04A-120CP-EXTENSION

IN THE MATTER OF THE APPLICATION OF VAIL SUMMIT RESORTS, INC.,
D/B/A KEYSTONE RESORT, INC., POST OFFICE BOX 38 (K-42), KEYSTONE,
COLORADO 80435, FOR A CERTIFICATE OF PUBLIC CONVENIENCE
AND NECESSITY AUTHORIZING AN EXTENSION OF OPERATIONS UNDER
PUC CERTIFICATE NO. 20195.

**INTERIM ORDER OF
ADMINISTRATIVE LAW JUDGE
DALE E. ISLEY
DENYING MOTION TO
COMPEL NOTICE AS MOOT**

Mailed Date: May 13, 2004

I. STATEMENT

1. On May 11, 2004, Craig S. Suwinski (Suwinski) filed a pleading entitled “Motion to Compel Applicant to Notify Transportation Contract Holders & Request for Interim Order” (Motion) in the captioned proceeding. The Motion requests that the Applicant, Vail Summit Resorts, Inc., doing business as Keystone Resort, Inc. (Keystone), be required to provide specific notice of this application to its contracting transportation customers pursuant to Rule 63(h) of the Commission’s Rules of Practice and Procedure, 4 *Code of Colorado Regulations* (CCR) 723-1-63.

2. On May 11, 2004, the undersigned administrative law judge issued a recommended decision in this matter. *See*, Decision No. R04-0490. That decision denied Suwinski’s previously filed request to intervene in this proceeding and granted Keystone’s

Motion to Strike the Suwinski intervention.¹ Accordingly, the Motion is moot and will be denied on that basis.

II. ORDER

A. It is Ordered That:

1. The Motion to Compel Applicant to Notify Transportation Contract Holders & Request for Interim Order filed by Craig S. Suwinski is denied as moot.
2. This Order shall be effective immediately.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Administrative Law Judge

¹ Decision No. R04-0490 also recommended that the Keystone application be granted under the Commission's modified, no-hearing procedure. *See*, § 40-6-109(5), C.R.S., and 4 CCR 723-1-24.