

Decision No. R04-0613-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 03F-470W

CASCADE VILLAGE CONDOMINIUM ASSOCIATION, INC., AND MORE THAN 25
INDIVIDUAL UTILITY CUSTOMERS OF MILL CREEK WATER SALES &
DISTRIBUTION, LLC,

COMPLAINANTS,

V.

MILL CREEK WATER SALES & DISTRIBUTION, LLC,

RESPONDENT.

**INTERIM ORDER OF
ADMINISTRATIVE LAW JUDGE
MANA L. JENNINGS-FADER
GRANTING JOINT MOTION, VACATING
AND RESCHEDULING HEARING DATE,
AND WAIVING RESPONSE TIME**

Mailed Date: June 8, 2004

I. STATEMENT

1. On October 27, 2003, Cascade Village Condominium Association, Inc., and more than 25 individual customers of Mill Creek Water Sales & Distribution, LLC (Complainants), filed the Complaint which commenced this docket. On December 2, 2003, Mill Creek Water Sales & Distribution, LLC (Respondent), filed its Answer and Motion to Dismiss. Staff of the Commission (Staff) has intervened. These are the only parties.

2. By Decision No. R04-0358-I the ALJ established a procedural schedule and hearing dates in this matter. Hearings are scheduled for June 29 and 30, 2004.

3. On June 3, 2004, counsel for Respondent met with the undersigned Administrative Law Judge (ALJ) to request orally that the hearing scheduled for June 29, 2004, be vacated and that the second day of the hearing be scheduled for July 15, 2004. Counsel for Complainants, who accompanied counsel for Respondent, informed the ALJ that Complainants do not object to this schedule change.¹ On June 7, 2004, counsel for Respondent informed the ALJ that Staff does not object to this schedule change.

4. The ALJ understands that the parties, their counsel, and their witnesses are available for hearing on June 30 and July 15, 2004.

5. Respondent stated good cause for the requested change in hearing date. As no party objects, no party will be prejudiced by granting the request. The request will be granted, and the hearing dates will be changed as requested.

6. The request is unopposed. Response time to the request will be waived.

7. The procedural and other requirements established in prior Orders entered in this matter remain in effect. Only the hearing dates are changed.

II. ORDER

A. It Is Ordered That:

1. The request to vacate the hearing date scheduled for June 29, 2004, is granted.
2. The hearing date scheduled for June 29, 2004, is vacated.

¹ The ALJ attempted to reach counsel for Staff by telephone. Counsel for Staff was unavailable.

3. Hearing in this matter shall be conducted at the following dates, time, and place:

DATES: June 30 and July 15, 2004
TIME: 9:00 a.m. each day
PLACE: Commission Hearing Room
1580 Logan Street, OL2
Denver, Colorado

4. The procedural schedule, the notification requirement, and the filing, service, and other requirements established in prior Orders entered in this matter continue in effect.

5. Response time to the request to change hearing dates is waived.

6. This Order shall be effective immediately.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Administrative Law Judge