

Decision No. R04-0741

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
CONCERNING REQUIREMENT THAT
APPLICANT SHOW CAUSE WHY APPLICATION
SHOULD NOT BE DISMISSED**

Mailed Date: July 6, 2004

I. STATEMENT

1. The captioned application of Michael Albert Murrell, doing business as Valley Taxi (Valley Taxi), is currently scheduled for hearing in Glenwood Springs, Colorado, on July 8 and 9, 2004. *See*, Decision No. R04-0540-I.

2. On June 25, 2004, Valley Taxi was ordered to file a pleading on or before July 2, 2004, establishing good cause for its failure to file with the Commission and serve all parties with a list of witnesses it intends to call to testify and copies of exhibits it intends to offer into evidence at the hearing. *See*, Decision No. R04-0711-I.

3. On June 30, 2004, Valley Taxi filed a pleading in response to the directive set forth in Decision No. R04-0711-I. That pleading indicates that Mr. Murrell intends to be the

only witness called in support of Valley Taxi's direct case. It also indicates that its hearing exhibits will consist of certain documents submitted with the application (*i.e.*, a copy of Valley Taxi's current certificate of public convenience and necessity, its vehicle list, and support letters) as well as the additional support letters that are attached to that pleading. It also clarifies that Mr. Murrell will be representing Valley Taxi on a *pro se* basis without the assistance of Mr. Whitsitt, the attorney originally listed in the application as Valley Taxi's legal counsel. The pleading includes a Certificate of Mailing indicating that it was served on counsel for the Intervenor on June 29, 2004.

4. The above-described pleading establishes good cause for Valley Taxi's failure to file a witness/exhibits list in accordance with Decision No. R04-0540-I. Contrary to the representation contained in the application, Valley Taxi has been representing itself and intends to continue representing itself on a *pro se* basis. Mr. Murrell is not an attorney and is apparently unfamiliar with the Commission's procedures governing applications of this type. The Commission attempts to provide some latitude to *pro se* applicants with regard to the procedures applicable to the application process.

5. In light of the above, the hearing of this matter will proceed as scheduled. In connection with its direct case, Valley Taxi will be allowed to call Mr. Murrell as its only witness and will be allowed to offer only the above-described exhibits into evidence.

II. ORDER**A. It Is Ordered That:**

1. Michael Albert Murrell, doing business as Valley Taxi, has established good cause for his failure to file a witness/exhibits list in accordance with Decision No. R04-0540-I. Accordingly, the hearing of this matter shall proceed as scheduled.

2. This Order shall be effective immediately.¹

¹ In addition to service by mail, a copy of this decision was provided to counsel for the Intervenor, I. H. Kaiser (ikaiser@bw-legal.com) and Charles Kimball (knpc@uswest.net), electronically on July 6, 2004. Neither the application nor the Commission's files contain an electronic mailing address or a facsimile number for Valley Taxi.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Administrative Law Judge