

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04A-337CP

IN THE MATTER OF THE APPLICATION OF MALCOLM LEWIS, DOING BUSINESS AS
MILE HIGH COMMUTER, 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
MANA L. JENNINGS-FADER
GRANTING JOINT MOTION, AND
WAIVING RESPONSE TIME**

Mailed Date: August 24, 2004

I. STATEMENT

1. On June 23, 2004, Malcolm Lewis, doing business as Mile High Commuter (Applicant), filed an Application for a Certificate of Public Convenience and Necessity to Operate as a Common Carrier by Motor Vehicle for Hire (Application). The Application commenced this docket.

2. The Commission gave public notice of the Application. See Notice of Applications Filed dated June 28, 2004 (Notice) at 3. That Notice, *inter alia* and as pertinent here, established an intervention period for this proceeding.

3. Metro Taxi, Inc. (Metro), intervened of right. It opposes the Application.

4. On August 16, 2004, Metro and MKBS, LLC, doing business as Metro Taxi (MKBS), filed a Joint Motion for Substitution of Intervenor and Intervenor's Counsel, Request for Shortened Response Time, and Request for Expedited Action (Joint Motion). The Joint Motion states that, as authorized by Decision No. C04-0751, Metro has transferred Certificate of

Public Convenience and Necessity PUC No. 1481 to MKBS and that MKBS is now the owner and operator of that authority. The Joint Motion also requests substitution of counsel. The Joint Motion states good cause, and no party will be prejudiced if the Joint Motion is granted. The Administrative Law Judge will grant the Joint Motion and will order the requested substitution of parties and counsel. As a result of the substitution of parties, MKBS stands in place of Metro in this proceeding and assumes all filings made to-date by Metro.

5. In view of the lack of prejudice to any party, the Joint Motion for Request for Shortened Response Time and Request for Expedited Action will be granted. The response time to the Joint Motion will be shortened to and including August 20, 2004.

II. ORDER

A. It Is Ordered That:

1. The Joint Motion for Substitution of Intervenor and Intervenor's Counsel filed by XYZ-Metro Taxi, Inc., formerly known as Metro Taxi, Inc., and MKBS, LLC, doing business as Metro Taxi, is granted.

2. MKBS, LLC, doing business as Metro Taxi, is substituted for Metro Taxi, Inc., as an intervenor.

3. The Request for Shortened Response Time filed by XYZ-Metro Taxi, Inc., formerly known as Metro Taxi, Inc., and MKBS, LLC, doing business as Metro Taxi, is granted.

4. The response time for the Joint Motion for Substitution of Intervenor and Intervenor's Counsel, Request for Shortened Response Time, and Request for Expedited Action is shortened to and including August 20, 2004.

5. The Request for Expedited Action is granted.

6. This Order is effective immediately.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Administrative Law Judge