

Decision No. R04-1080-I

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO**

DOCKET NO. 04F-422T

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TEIKYO LORETTO HEIGHTS UNIVERSITY,

COMPLAINANT,

V.

AT&T COMMUNICATIONS OF THE MOUNTAIN STATES, INC.,

RESPONDENT.

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**INTERIM ORDER OF  
ADMINISTRATIVE LAW JUDGE  
DALE E. ISLEY  
DENYING MOTION TO WAIVE  
RESPONSE TIME AND SHORTENING  
RESPONSE TIME TO MOTION  
TO CHANGE HEARING DATE**

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Mailed Date: September 10, 2004

**I. STATEMENT**

1. The captioned proceeding was commenced on August 5, 2004, when the Complainant, Teikyo Loretto Heights University (Loretto Heights), filed a formal complaint with the Colorado Public Utilities Commission (Commission) against Respondent, AT&T Communications of the Mountain States, Inc. (AT&T).

2. On August 11, 2004, the Commission entered its Order to Satisfy and Answer. On that date it also issued an Order Setting Hearing and Notice of Hearing scheduling a hearing in this matter on September 23, 2004.

3. On August 31, 2004, AT&T filed its Answer, Affirmative Defenses and Counterclaims.

4. On September 8, 2004, AT&T filed a Motion to Change Hearing Date and Waiver of Response Time (Motion). The Motion requests that the September 23, 2004, hearing be vacated and re-scheduled during or sometime after the week of October 4, 2004. It also requests that response time to the Motion be waived.

5. The Motion does not indicate whether Loretto Heights has consented to the relief requested therein. As a result, it will be afforded an opportunity to respond to the same. Therefore, that portion of the Motion requesting that response time thereto be waived will be denied. However, response time will be shortened to September 16, 2004, given the rapidly approaching hearing date.

## **II. ORDER**

### **A. It Is Ordered That:**

1. That portion of the Motion to Change Hearing Date and Waiver of Response Time filed by AT&T Communications of the Mountain States, Inc., requesting that response time thereto be waived is denied.

2. Any desired response to the Motion to Change Hearing Date and Waiver of Response Time filed by AT&T Communications of the Mountain States, Inc., shall be filed on or before September 16, 2004.

3. This Order shall be effective immediately.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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Administrative Law Judge

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