

Decision No. R04-1110-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04F-422T

TEIKYO LORETTO HEIGHTS UNIVERSITY,

COMPLAINANT,

V.

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

RESPONDENT.

**INTERIM ORDER OF
ADMINISTRATIVE LAW JUDGE
DALE E. ISLEY
GRANTING MOTION FOR
CONTINUANCE AND
RE-SCHEDULING HEARING**

Mailed Date: September 20, 2004

I. STATEMENT

1. On September 8, 2004, the Respondent, AT&T Communications of the Mountain States, Inc. (AT&T), filed a Motion to Change Hearing Date and Waiver of Response Time (Motion) in the captioned proceeding. AT&T's request to waive response time was denied on September 10, 2004, and the Complainant, Teikyo Loretto Heights University (Loretto Heights), was directed to file any desired response to the Motion on or before September 16, 2004. *See*, Decision No. R04-1080-I.

2. The Motion requests that the September 23, 2004, hearing be vacated and re-scheduled during or sometime after the week of October 4, 2004. As grounds for the Motion,

AT&T indicates that its counsel is involved in other proceedings before the Colorado Public Utilities Commission on September 23, 2004, and is unavailable for hearing on that day.

3. On September 16, 2004, Loretto Heights filed its Response to the Motion. While it states that it is unavailable for a re-scheduled hearing during the week of October 4, 2004, it does not oppose continuing the hearing until the week of October 18, 2004, or later.

4. Informal communication between the undersigned administrative law judge and the parties reveals that October 21, 2004, would be a convenient date for all concerned. Therefore, the hearing of this matter will be re-scheduled on that date by the Order that follows.

II. ORDER

A. It Is Ordered That:

1. The Motion to Change Hearing Date filed by the Respondent, AT&T Communications of the Mountain States, Inc., is granted.

2. The hearing of this matter currently scheduled for September 23, 2004, is vacated.

3. This matter is re-scheduled for hearing as follows:

DATE: October 21, 2004

TIME: 9:00 a.m.

PLACE: Commission Hearing Room
1580 Logan Street, Office Level 2
Denver, Colorado

4. This Order shall be effective immediately.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Administrative Law Judge