

Decision No. R04-1170-I

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

DOCKET NO. 04C-452CP

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RE: MOTOR VEHICLE OPERATIONS OF VAIL SUMMIT RESORTS, INC., DOING  
BUSINESS AS KEYSTONE RESORTS, INC., UNDER CERTIFICATE OF PUBLIC  
CONVENIENCE AND NECESSITY PUC NO. 20195.

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**INTERIM ORDER OF  
ADMINISTRATIVE LAW JUDGE  
DALE E. ISLEY  
REJECTING REQUEST FOR INTERVENTION**

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Mailed Date: October 7, 2004

**I. STATEMENT**

1. On October 4, 2004, the Keystone Citizens League (Citizens League) filed two pieces of correspondence in the captioned proceeding, one dated August 28, 2004, and the other dated September 27, 2004. The September 27, 2004, correspondence contains the following statement: “The Keystone Citizens League requests that it be an intervenor and witness in the upcoming hearing on this matter.” As a result, the subject correspondence will be construed as a petition by the Citizens League to intervene (Petition) in this docket pursuant to 4 *Code of Colorado Regulations* (CCR) 723-1-64.

2. Rule 7(b)(2) of the Commission’s Rules of Practice and Procedure, 4 CCR 723-1-7(b)(2), requires that any pleading filed in a docket shall be served on or mailed to all other parties on the same day it is filed. This rule further provides that “[P]arties who intervene in dockets shall be responsible for reviewing the Commission file to determine the identity of parties to ensure that pleadings and other documents are properly served on all parties.”

3. Rule 7(b)(3) of the Commission's Rules of Practice and Procedure, 4 CCR 723-1-7(b)(3), provides that proof of service upon other parties of any pleading filed shall be shown by a certificate of service attached to the pleading.

4. The Petition does not contain the certificate of service required by 4 CCR 723-1-7(b)(3) and, as a result, it is impossible to determine whether the Citizens League has complied with the service requirements of 4 CCR 723-1-7(b)(2). The Petition must, therefore, be rejected for that reason.<sup>1</sup>

## **II. ORDER**

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

1. The requested intervention in the proceeding filed by the Keystone Citizens League is rejected.

2. This Order shall be effective immediately.

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<sup>1</sup> The Citizens League may wish to re-file the Petition with the proper certificate of mailing attached prior to the October 12, 2004, deadline for filing petitions to intervention in this matter. *See*, Decision No. R04-1149-I.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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Administrative Law Judge

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