

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04C-464T

IN THE MATTER OF THE FILING OF SEMI-ANNUAL COLORADO HIGH
COST SUPPORT MECHANISM WORKSHEETS OR THE DECLARATION OF
DE MINIMIS FORM IN ACCORDANCE WITH RULE 4 CCR 723-41 FOR THOSE
TELECOMMUNICATIONS SERVICES PROVIDERS THAT ARE UNCERTIFICATED
PROVIDERS.

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

Mailed Date: October 28, 2004

I. STATEMENT

1. The captioned proceeding is currently set for hearing on November 2, 2004. *See*, Decision No. C04-1086.

2. On October 13, 2004, Staff of the Public Utilities Commission (Staff) filed its Motion to Vacate and Reschedule Hearing (Motion). The Motion seeks to have the hearing vacated and rescheduled to December 15, 2004, or as soon thereafter as possible. As grounds therefore, Staff states that its counsel is occupied with numerous other previously scheduled matters before the Commission and, therefore, has insufficient time to prepare for and attend the November 2, 2004, hearing.

3. On October 15, 2004, Administrative Law Judge Kirkpatrick granted Staff the opportunity to supplement a similar motion filed in Docket No. 04C-465T for the purpose of providing additional information concerning Staff counsel's unavailability for a hearing

scheduled in that matter on November 1, 2004. *See*, Decision No. R04-1207-I. On October 21, 2004, Staff submitted its Supplement to the Motion (Supplement) in Docket No. 04C-465T. The Supplement indicates that Staff's counsel is representing Staff in hearings currently scheduled in Commission Docket No. 03A-436E on October 26, 2004, and in Docket No. 04A-254T on October 28 and 29, 2004. This additional information provided adequate justification for the continuance requested by Staff in Docket No. 04C-465T and, as a result, provides adequate justification for the continuance requested in this matter as well. *See*, Decision No. R04-1250-I.

4. Therefore, the Motion will be granted. The hearing will be re-scheduled for December 17, 2004, and the procedural schedule previously established by Decision No. C04-1086 will be modified as set forth in the Order that follows.

II. ORDER

A. It Is Ordered That:

1. The hearing of this matter scheduled for November 2, 2004, is vacated.
2. This matter is re-scheduled for hearing as follows:

DATE: December 17, 2004

TIME: 1:00 p.m.

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

3. The Staff of the Public Utilities Commission shall file, at least 30 days before hearing: (1) two copies of a list containing the name, address, and title of each of its witnesses; and (2) two copies of each of the exhibits which it plans to present at the hearing. Copies of the witness list and exhibits shall be served upon all parties to the proceeding.

4. All entities listed in Attachment A shall file, at least 20 days before hearing:

- (1) two copies of a list containing the name, address, and title of each of its witnesses; and
- (2) two copies of each of the exhibits, which it plans to present at the hearing. Copies of the witness list and exhibits shall be served upon all parties to the proceeding.

5. This Order shall be effective immediately.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Administrative Law Judge