

Decision No. R04-1324-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04C-428CP

IN THE MATTER OF MOTOR VEHICLE COMMON AND CONTRACT CARRIERS
LISTED IN APPENDIX A TO THIS DECISION, RESPONDENTS.

**INTERIM ORDER OF
ADMINISTRATIVE LAW JUDGE
MANA L. JENNINGS-FADER
ESTABLISHING HEARING DATE
AND PROCEDURAL SCHEDULE**

Mailed Date: November 9, 2004

I. STATEMENT

1. On August 19, 2004, by Decision No. C04-0969, the Commission commenced this proceeding by issuance of its Order to Show Cause and Notice of Hearing for Transportation Utilities. That Order scheduled the hearing in this matter for October 20, 2004.

2. This matter is assigned to the undersigned Administrative Law Judge (ALJ).

3. On September 17, 2004, pursuant to the procedural schedule established in Decision No. C04-0969, Staff of the Commission (Staff) filed its list of witnesses and copies of its exhibits. No respondent has filed its list of witnesses and copies of its exhibits.

4. On October 20, 2004, the ALJ called this matter for hearing. Staff appeared, and no respondent appeared. Staff orally moved for a continuance of the hearing date in order to obtain counsel. The ALJ granted the unopposed motion and stated that a new hearing date would be established by a subsequent order.

5. On November 2, 2004, counsel for Staff entered her appearance in this matter.

6. Hearing in this proceeding will be scheduled for **December 15, 2004**.

7. In view of the new hearing date, each respondent in this proceeding must file its lists of witnesses and copies of its exhibits on or before **November 26, 2004**. The consequences for failure to file a list of witnesses and copies of exhibits on or before November 26, 2004, are set out below.

II. ORDER

A. It Is Ordered That:

1. The hearing in this docket is scheduled on the following date, at the following time, and in the following location:

DATE: December 15, 2004

TIME: 9:00 a.m.

PLACE: Commission Hearing Room
1580 Logan Street, OL2
Denver, Colorado

2. The parties shall follow the procedures, and shall make the filings, detailed above.

3. Each respondent shall file, on or before November 26, 2004: (1) an original and three copies of a list containing the name, address, and title of each of its witnesses; and (2) three copies of each of the exhibits which it plans to present at the hearing. Copies of the witness list and of the exhibits shall be served upon all parties to the proceeding.

4. No witness shall be permitted to testify (except in rebuttal) unless that witness is identified in a filing made and served as provided in this Order.

5. No document shall be received in evidence (except in rebuttal) unless that document is filed and served as provided in this Order.

6. If any respondent fails to meet the above requirements, the Commission may dismiss any defense, upon motion made by any other party, unless good cause is shown for the failure to file.

7. No exception to the procedure in this Order shall be made except upon timely motion showing good cause.

8. This Order is effective immediately.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Administrative Law Judge