

Decision No. R04-1508-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04A-411T

IN THE MATTER OF THE COMBINED APPLICATION OF QWEST CORPORATION FOR RECLASSIFICATION AND DEREGULATION OF CERTAIN PART 2 PRODUCTS AND SERVICES AND DEREGULATION OF CERTAIN PART 3 PRODUCTS AND SERVICES.

DOCKET NO. 04D-440T

STAFF OF THE COLORADO PUBLIC UTILITIES COMMISSION'S PETITION FOR A DECLARATORY ORDER CONCERNING THE RECLASSIFICATION AND DEREGULATION OF TELECOMMUNICATIONS SERVICES UNDER PARTS 2 AND 3, TITLE 40, ARTICLE 15 OF THE COLORADO REVISED STATUTES.

**INTERIM ORDER OF
ADMINISTRATIVE LAW JUDGE
MANA L. JENNINGS-FADER
ORDERING SUPPLEMENTAL FILING**

Mailed Date: December 17, 2004

I. STATEMENT

1. Qwest Corporation (Qwest) filed an Application for Reclassification of Certain Part 2 Services and Products, Deregulation of Certain Part 3 Services and Products. This filing commenced Docket No. 04A-411T.

2. Staff of the Commission filed a Petition for a Declaratory Order Concerning the Reclassification and Deregulation of Telecommunications Services under Parts 2 and 3, Title 40, Article 15 of the Colorado Revised Statutes (Petition). This filing commenced Docket No. 04D-440T.

3. By Decision No. C04-1193 the Commission consolidated the two proceedings.

4. By Decision No. C04-1402 the Commission scheduled hearing dates, established a procedural schedule, and referred to an Administrative Law Judge (ALJ) certain prehearing motions for resolution. The undersigned ALJ is assigned to decide the motions.

5. On December 16, 2004, Adam L. Sherr, Esquire, filed a Verified Motion for Admission *Pro Hac Vice* (Verified Motion). Mr. Sherr, a member of the bar in Washington State, seeks leave to represent Qwest in this matter.

6. Rule 4 *Code of Colorado Regulations* 723-1-21(a) pertains to representation of parties by counsel in proceedings before the Commission. That Rule refers to, and requires compliance with, Colorado Rule of Civil Procedure (Colo.R.Civ.P.) 221.

7. Colo.R.Civ.P. 221(1) sets out the filing requirements for an attorney seeking to be admitted *pro hac vice* before a state court. Pursuant to Colo.R.Civ.P. 221.1, the majority of those filing requirements also apply to admission *pro hac vice* before a state agency. The Verified Motion contains the statements and information required by Colo.R.Civ.P. 221(b).

8. From the Verified Motion it is not possible to determine whether the requesting counsel has made a filing with the Clerk of the Colorado Supreme Court at the Attorney Registration Office and paid to the Clerk of the Colorado Supreme Court in the Attorney Registration Office the \$250 fee as required by Colo.R.Civ.P. 221(1)(a)(iii) and (iv). This information must be provided before a ruling on the Verified Motion can be made.

9. Mr. Sherr will be required to supplement, on or before **December 30, 2004**, the Verified Motion to provide the information identified in ¶ 8, above. The ALJ will not consider the Verified Motion until it is supplemented.

II. ORDER

A. It Is Ordered That:

1. On or before December 30, 2004, Adam L. Sherr, Esquire, shall supplement the Verified Motion for Admission *Pro Hac Vice* as set out above.

2. The Verified Motion for Admission *Pro Hac Vice* will be held in abeyance pending receipt of the supplemental information.

3. This Order is effective immediately.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Administrative Law Judge