

Decision No. C14-0458

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 13G-1141EC

COLORADO PUBLIC UTILITIES COMMISSION,

COMPLAINANT,

V.

ROBERT JOSEPH STARR,

RESPONDENT.

**DECISION GRANTING MOTION FOR
EXTENSION OF TIME TO FILE EXCEPTIONS**

Mailed Date: May 2, 2014
Adopted Date: April 30, 2014

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. This matter comes before the Commission for consideration of a motion for an extension of time to file exceptions to Recommended Decision No. R14-0394 (Decision), filed by Staff of the Colorado Public Utilities Commission (Staff) on April 24, 2014.

2. Rule 1505(a), of the Rules of Practice and Procedure, 4 *Code of Colorado Regulations* 723-1, states that a recommended decision becomes the Commission's decision unless, within 20 days or such additional time as the Commission may allow, any party files exceptions to the recommended decision. This rule further states that a motion for an extension of time to file exceptions based upon the unavailability of a transcript shall show that the transcript request was filed within seven days of the mailed date of the recommended decision.

3. The Decision was mailed on April 14, 2014. Therefore, a request for a transcript was due on April 21, 2014; and, exceptions must be filed by May 5, 2014 (the 20th day, May 4, 2014, is a Sunday).

4. In support of the motion, Staff attached an email to the motion showing that a request for the transcript was timely made on April 21, 2014. The email also shows a reply from the court reporter stating that she would need to the end of the week of May 5, 2014 to complete the transcript. Staff requests that the Commission extend the time for filing exceptions to May 23, 2014 in order to provide Staff sufficient time to review the transcript and prepare its exceptions.

5. On our own motion, we waive response time to the motion.

6. We find that good cause has been shown to grant the motion for extension of time to file exceptions through May 23, 2014.

II. ORDER

A. The Commission Orders That:

1. Consistent with the discussion above, the motion for an extension of time to file exceptions to Recommended Decision No. R14-0394, filed by Staff of the Colorado Public Utilities Commission on April 24, 2014, is granted.

2. Exceptions to Recommended Decision No. R14-0394 may be filed by and including May 23, 2014.

3. The 20-day time period provided by § 40-6-114(1), C.R.S., to file an application for rehearing, reargument, or reconsideration shall begin on the first day after the Commission mails or serves this Decision.

4. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
April 30, 2014.**

(S E A L)



ATTEST: A TRUE COPY

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JOSHUA B. EPEL

PAMELA J. PATTON

GLENN A. VAAD

Commissioners