

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 13A-1337T

IN THE MATTER OF THE APPLICATION OF SAGE TELECOM COMMUNICATIONS, LLC
FOR DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER IN THE
STATE OF COLORADO FOR THE PURPOSE OF OFFERING WIRELESS LIFELINE
SERVICE.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
MELODY MIRBABA
EXTENDING DEADLINE FOR
INTERVENERS TO FILE EXHIBITS**

Mailed Date: March 17, 2014

I. STATEMENT, FINDINGS, AND CONCLUSIONS

1. Only those portions of the procedural history necessary to understand this Decision are included.

2. On December 18, 2013, Sage Telecom Communications LLC filed an Application for Designation as an Eligible Telecommunications Carrier in the State of Colorado for the Limited Purpose of Offering Wireless Lifeline Service.

3. On January 17, 2014, the Colorado Office of Consumer Counsel filed a “Notice of Intervention of Right, Entry of Appearance and Request for Hearing.”

4. On January 27, 2014, Commission trial Staff (Staff) filed a Notice of Intervention as of Right, Entry of Appearance, and Notice Pursuant to Rules 1401 and 1007(a) and Request for Hearing.

5. On January 29, 2014, by Minute Order, the Commission referred this matter to an Administrative Law Judge (ALJ) for disposition.

6. By Decision No. R14-0205-I issued February 25, 2014, the ALJ scheduled a hearing and established procedural deadlines. As a part of that Decision, the ALJ ordered that each intervenor's answer testimony and exhibits shall be filed and served on March 14, 2014.

7. On March 14, 2014, Staff filed an "Unopposed Motion to Modify Answer Testimony Due Date" (Motion). The Motion requests that the deadline to file answer testimony be extended to April 1, 2014. The deadline for answer testimony was March 14, 2014, the same day the Motion was filed.

8. By Decision No. R14-0289-I issued at approximately 3:25 p.m. on March 14, 2014, the ALJ granted the Motion. In that Decision, the ALJ noted that Staff did not seek to extend its deadline to file exhibits, also a March 14 deadline. As the Motion did not seek relief relating to that deadline, the ALJ did not disturb that deadline.

9. At 4:24 p.m. on March 14, 2014, Staff filed an "Unopposed Motion to Modify Due Date for Exhibits" (second Motion). The second Motion states that Staff conferred with all parties and that the parties do not object to the relief sought. As grounds for the Motion, Staff states that the parties are engaged in settlement discussions. Staff seeks additional time for intervenors to file exhibits so that the parties may continue to engage in settlement discussions, which may obviate the need to file exhibits. The second Motion does not seek to change any other procedural deadline.

10. The second Motion asks that the response time to it be waived since it is unopposed. For good cause shown, the ALJ will waive the response time to the unopposed second Motion. Rule 1400(b), Rules of Practice and Procedure, 4 *Code of Colorado Regulations* 723-1.

11. The ALJ finds that Staff has shown good cause for an extension of the deadline for interveners to file exhibits. The deadline shall be extended for all interveners.

II. ORDER

A. It Is Ordered That:

1. The deadline for the Colorado Office of Consumer Counsel and Commission trial Staff, to file their exhibits is extended to 5:00 p.m. on April 1, 2014.

2. No other matter addressed by Decision No. R14-0205-I and Decision No. R14-0289-I is affected by this Decision.

3. This Decision is effective immediately.

(S E A L)



ATTEST: A TRUE COPY

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

MELODY MIRBABA

Administrative Law Judge