

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14A-0147T

IN THE MATTER OF THE APPLICATION OF THE CHAFFEE COUNTY EMERGENCY
TELEPHONE SERVICE AUTHORITY TO ASSESS AN EMERGENCY TELEPHONE
SURCHARGE RATE OF ONE DOLLAR AND FIFTY CENTS (\$1.50) PER SERVICE USER
PER MONTH PURSUANT TO § 29-11-102(2)(B), C.R.S.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
MELODY MIRBABA
EXTENDING DEADLINES**

Mailed Date: May 1, 2014

I. STATEMENT, FINDINGS, AND CONCLUSIONS

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

2. On February 18, 2014, the Chaffee County Emergency Telephone Service Authority (Chaffee County) filed an application to assess an emergency telephone surcharge rate of \$1.50 per service user per month pursuant to § 29-11-102(2)(b), C.R.S.

3. Commission Staff (Staff) and the Colorado Office of Consumer Counsel (the OCC) timely intervened of right.

4. On March 19, 2014, by Minute Order, the Commission referred this matter to an Administrative Law Judge (ALJ) for disposition.

5. On April 8, 2014, the ALJ scheduled a hearing and established procedural deadlines based upon the parties' agreed-upon schedule. Decision No. R14-0372-I.

6. On April 23, 2014, as requested by Staff, the ALJ extended Chaffee County's deadline to file supplemental direct testimony from April 22, 2014 to April 29, 2014.

7. Chaffee County filed supplemental direct testimony and exhibits on April 29, 2014 and on April 30, 2014.

8. On April 30, 2014, Staff filed an "Unopposed Motion to Extend Deadline for Filing Answer, Cross-Answer and Rebuttal Testimony" (Motion). The Motion is unopposed. The Motion seeks to extend several deadlines, as follows: deadline for Staff and the OCC to file answer testimony and exhibits from May 12, 2014 to May 16, 2014; deadline for Chaffee County to file rebuttal testimony and exhibits from May 30, 2014 to June 3, 2014; and the deadline for Staff and the OCC to file rebuttal testimony and exhibits from May 30, 2014 to June 3, 2014.¹ As grounds, Staff states that the additional time will enable Staff and the OCC to more fully review Chaffee County's supplemental direct testimony and exhibits, and to exchange information via discovery. Staff does not seek to continue the hearing date currently scheduled for June 18, 2014. Staff requests that the response time to the Motion be waived.

9. As the Motion is unopposed, the ALJ finds good cause to waive the response time to it, pursuant to Rule 1400(b) of the Rules of Practice and Procedure, 4 *Code of Colorado Regulations* 723-1.

10. Particularly given that Chaffee County's deadline to file supplemental answer testimony and exhibits was extended (without changing the other parties' deadlines), and that Chaffee County filed portions of its supplemental testimony and exhibits one day after

¹ The ALJ presumes that Staff intended to reference its deadline to file cross-answer testimony and exhibits, as there is no deadline for Staff and the OCC to file rebuttal testimony and exhibits. The final and unnumbered paragraph of the Motion correctly references the deadline to file cross-answer testimony and exhibits.

the extended deadline, the ALJ finds good cause for an extension of the above-referenced deadlines. No prejudice will result to any party by virtue of extending the referenced deadlines.

11. For good cause shown, the ALJ will grant the Motion.

II. ORDER

A. It Is Ordered That:

1. The response time to the “Unopposed Motion to Extend Deadline for Filing Answer, Cross-Answer and Rebuttal Testimony” (Motion) is waived.

2. The Motion is granted. The deadline for Commission Staff (Staff) and the Colorado Office of Consumer Counsel (the OCC) to file answer testimony and exhibits is extended to May 16, 2014; the deadline for the Chaffee County Emergency Telephone Service Authority to file rebuttal testimony and exhibits is extended to June 3, 2014; and the deadline for Staff and the OCC to cross-answer testimony and exhibits is extended to June 3, 2014.

3. Unless specifically addressed by this or a prior Decision, no other matters at issue in Decision No. R14-0372-I are impacted by this Decision.

4. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

MELODY MIRBABA

Administrative Law Judge

ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Doug Dean".

Doug Dean,
Director