

Decision No. R14-0775-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14G-0600HHG

COLORADO PUBLIC UTILITIES COMMISSION,

COMPLAINANT,

V.

DONALD T. AGUILAR IN HIS CAPACITY AS OWNER OF FAST WIND MOVING &
DELIVERY SERVICES, LLC AND FAST WIND MOVING & DELIVERY SERVICES, LLC

RESPONDENT.

PROCEEDING NO. 14G-0610HHG

COLORADO PUBLIC UTILITIES COMMISSION,

COMPLAINANT,

V.

DONALD T. AGUILAR IN HIS CAPACITY AS OWNER OF FAST WIND MOVING &
DELIVERY SERVICES, LLC AND FAST WIND MOVING & DELIVERY SERVICES, LLC

RESPONDENT.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
ROBERT I. GARVEY
CONSOLIDATING PROCEEDINGS
AND WAIVING RESPONSE TIME**

Mailed Date: July 8, 2014

I. STATEMENT

1. On June 4, 2014, the Public Utilities Commission's Staff (Staff) issued Civil Penalty Assessment Notice (CPAN) No. 108689 against Donald T. Aguilar in his Capacity as

Owner of Fast Wind Moving & Delivery Services, LLC and Fast Wind Moving and Delivery Services LLC (Fast Wind). That filing commenced Proceeding No. 14G-0600HHG.

2. On June 4, 2014, Staff issued CPAN No. 109505 against Fast Wind. That filing commenced Proceeding No. 14G-0610HHG

3. On June 18, 2014, counsel for Staff entered their appearances in both Proceeding No. 14G-0600HHG and Proceeding No. 14G-0610HHG.

4. On June 25, 2014, by Minute Order, the Commission referred both proceedings to an Administrative Law Judge.

5. On July 1, 2014, by Interim Decision No. R14-0743-I, an evidentiary hearing was scheduled in Proceeding No. 14G-0600HHG to be held on August 7, 2014.

6. On July 1, 2014, by Interim Decision No. R14-0745-I, an evidentiary hearing was scheduled in Proceeding No. 14G-0610HHG to be held on August 12, 2014.

7. On July 3, 2014, Staff filed its Motion to Consolidate Proceedings and Waive Response Time in both Proceeding No. 14G-0600HHG and Proceeding No. 14G-0610HHG (Motion).

8. As grounds Staff states that the two proceedings concern the same carrier and similar conduct. In addition, Staff states that consolidation shall reduce litigation expense to the parties as well as the Commission.

9. Good cause is found to grant the motion. Since no party shall be prejudiced by the granting of the Motion, response time shall be waived.

II. ORDER

A. It Is Ordered That:

1. The Motion to Consolidate Proceedings and Waive Response Time (Motion) filed by Staff of the Colorado Public Utilities Commission on July 3, 2014 is granted.

2. Response time to the Motion is waived.

3. Proceeding Nos. 14G-0600HHG and 14G-0610HHG are consolidated.

Proceeding No. 14G-0600HHG is the primary (or lead) proceeding.

4. All proceeding numbers and captions in the consolidated proceeding shall be listed on all future filings, as shown above on this Decision. The primary or lead proceeding identified in Ordering Paragraph No. 3, and its caption, shall appear first.

5. Given the consolidation, documents shall be filed in Proceeding No. 14G-0600HHG; and no document shall be filed in Proceeding No. 14G-0610HHG.

6. The evidentiary hearing in this proceeding is scheduled as follows:

DATE: August 7, 2014
TIME: 9:00 a.m.
PLACE: Commission Hearing Room
1560 Broadway, Suite 250
Denver, Colorado

7. The evidentiary hearing scheduled for August 12, 2014, in Proceeding No. 14G-0610HHG is vacated.

8. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ROBERT I. GARVEY

Administrative Law Judge

ATTEST: A TRUE COPY

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

Doug Dean,
Director