

Decision No. R20-0526-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 20F-0077G

WILLIAM C. DANKS,

COMPLAINANT,

V.

DCP OPERATING COMPANY, LP,

RESPONDENT.

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

Mailed Date: July 16, 2020

I. STATEMENT, FINDINGS, AND CONCLUSIONS

1. Only the procedural history necessary to understand this Decision is included. On May 28, 2020, DCP Operating Company LP (DCP) filed a Motion to Dismiss Amended Complaint (Motion to Dismiss), to which Mr. Danks responded.

2. On June 10, 2020, the Administrative Law Judge (ALJ) scheduled a hearing and established related deadlines. Decision No. R20-0430-I. Among those deadlines are: a July 20, 2020 deadline to file dispositive motions; an August 7, 2020 deadline to serve discovery; an August 24, 2020 deadline to file exhibits, and exhibit and witness lists; and an August 31, 2020 deadline to file prehearing motions. *Id.*

3. The ALJ anticipates issuing a written decision on DCP's Motion to Dismiss in the very near future. The parties would benefit from having time with that decision before filing dispositive motions. To allow the parties enough time to review the decision on the Motion to Dismiss before filing dispositive motions, the ALJ will extend the deadline to file dispositive motions. This impacts several other deadlines, which will also be extended.

4. The deadline to issue final discovery requests was set for August 7, 2020 to allow the parties time to seek discovery after dispositive motions are filed. As such, the ALJ will also extend this deadline. Given the 14-day response time for discovery, the ALJ will also extend the August 24, 2020 deadline to file exhibits, and exhibit and witness to allow the parties time to receive discovery responses before making those filings. In addition, to account for the possibility that a party may wish to file a prehearing motion relating to exhibits, the ALJ will also extend the deadline to file prehearing motions.

5. Extending these deadlines still allows for ample time for the parties to prepare for the September 22, 2020 hearing, and meet other established deadlines in Decision No. R20-0430-I). As such, this Decision does not change or otherwise impact any other deadlines or aspect of Decision No. R20-0430-I.

II. ORDER

A. It Is Ordered That:

1. Consistent with the above discussion, the deadlines established in Decision No. R20-0430-I for the parties to file dispositive motions, issue discovery requests, file exhibits and witness and exhibit lists, and to file prehearing motions are extended.

2. The parties must: file dispositive motions on or by the close of business on August 3, 2020; issue discovery requests by August 14, 2020; file exhibits and witness and exhibit lists on or by the close of business on September 9, 2020; and file prehearing motions on or by the close of business on September 15, 2020.

3. No other aspect of Decision No. R20-0430-I (issued on June 10, 2020) is impacted by this Decision; all other requirements of that Decision continue to apply.

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