

(Decision No. C91-1254)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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RULES OF THE PUBLIC UTILITIES)
COMMISSION OF THE STATE OF COLORADO)
CONCERNING EMERGENCY REPORTING) DOCKET NO. 91R-499T
SERVICES FOR TELECOMMUNICATIONS)
SERVICE PROVIDERS AND TELEPHONE)
UTILITIES.)

**COMMISSION ORDER (1) DENYING MOTION FOR CONTINUANCE
OF PUBLIC HEARING; AND (2) GRANTING COLORADO MUNICIPAL
LEAGUE AN EXTENSION OF TIME TO FILE COMMENTS UNTIL
SEPTEMBER 23, 1991**

Mailing date: September 13, 1991
Adopted date: September 11, 1991

This matter came on for consideration on the motion for continuance of the public hearing in this rulemaking docket (set for September 27, 1991), and motion for extension of time to file comments (due September 16, 1991) filed by the Colorado Municipal League ("League") on August 30, 1991.

The motion for continuance of the hearing will be denied. The Commission believes that the current schedule for rulemaking in this matter remains appropriate, in part in consideration to the parties in a pending complaint case, Weld County 911 Emergency Telephone Service Authority Board v. U S West and Wiggins Telephone, Docket No. 91F-429T. The Weld County case contains many issues which overlap this rulemaking, and may have to be delayed to some extent pending a final rule in this docket. If the September 27, 1991 hearing date were delayed, the practical result would be to delay a rulemaking hearing until sometime in 1992. The Commission's

calendar is extremely crowded, and any delays tend to have a domino effect, causing delays in other dockets. Therefore, in this and other items set on the Commission's calendar, the Commission intends to keep to its schedule as closely as possible.

Regarding the motion for extension of time to file comments, the Commission will grant the League (the only party which has asked for an extension) an additional week to file comments, or until Monday September 23, 1991. The Commission feels this one-week delay is a reasonable compromise, which will not prejudice the other parties or cause the Commission to delay the public hearing, yet a one-week extension will give the League additional time. The other matters proposed by the League in the motion for extension of time, however, are denied. The League will not be given any further special privileges over the other parties; it shall file such full comments as it desires -- not comments in "outline" form -- by September 23, 1991, as the Commission will not grant at this time the League additional late filing of comments 14 days after the hearing. As we have told the Office of Consumer Counsel in a letter dated August 30, 1991, the parties should understand that their initial comments should be complete because the Commission may not allow any further comments to be filed. In the Notice of Proposed Rulemaking, the Commission stated, "After the September 27, 1991 hearing, the Commission may allow a further comment period, may propose its own rules, and may set further hearings on this matter." Decision No. C91-999 at 3 (July 31, 1991) (emphasis added). The choice of the word "may" was deliberate; the parties should make their best effort in their initial comments, which may be their last and only comments.

THEREFORE THE COMMISSION ORDERS THAT:

1. The motion for continuance of public hearing, filed on August 30, 1991 by the Colorado Municipal League, is hereby denied. The Commission will conduct a

public hearing on this rulemaking on Friday September 27, 1991, commencing at 9:30 a.m., as originally noticed and scheduled in Decision No. C91-999, opening this docket.

2. The motion for extension of time to file written comments, filed on August 30, 1991 by the Colorado Municipal League, is hereby granted, in part. The Colorado Municipal League is granted an extension of time until Monday September 23, 1991 to file written comments.

3. This Order is effective on its date of mailing.

ADOPTED IN OPEN MEETING ON September 11, 1991.

(S E A L)



ATTEST: A TRUE COPY

Suzanne A. Fasing

Suzanne A. Fasing
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ARNOLD H. COOK

GARY L. NAKARADO

CHRISTINE E. M. ALVAREZ

Commissioners