

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 03A-451CP-EXTENSION

IN THE MATTER OF THE APPLICATION OF TOWN & COUNTRY TRANSPORTATION SERVICES, INC., FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AUTHORIZING AN EXTENSION OF OPERATIONS UNDER PUC NO. 53589.

**INTERIM ORDER OF
ADMINISTRATIVE LAW JUDGE
MANA L. JENNINGS-FADER
GRANTING MOTION AND
WAIVING RESPONSE TIME**

Mailed Date: January 5, 2004

I. STATEMENT

1. On October 16, 2003, Town & Country Transportation Services, Inc. (Applicant), filed its Application for an Extension of Certificate of Public Convenience and Necessity PUC Number 53589 (Application). The Application commenced this docket.

2. Boulder Shuttle, LLC, and Boulder Taxi, LLC filed an intervention of right. Shamrock Taxi of Fort Collins, Inc., doing business as Shamrock Shuttle, Inc., filed an intervention of right. These are the only interventions.

3. By Decision No. R03-1405-I, the undersigned Administrative Law Judge established a procedural schedule and a hearing date of February 13, 2004, in this proceeding. According to the procedural schedule, on or before January 2, 2004, Applicant was to file its list of witnesses and copies of its exhibits.

4. On December 31, 2003, Applicant filed a Motion for an Extension of Time to File its list of witnesses and copies of its exhibits (Motion). As grounds for this Motion, Applicant

states that the parties have reached an agreement in principle, have reduced the agreement to writing, and are in the process of circulating the agreement for final approval and signature. Applicant seeks an enlargement of time, to and including January 9, 2004, within which to file the written agreement or a proposed amended procedural schedule.

5. The Commission has a policy which favors settlements. The Motion states good cause as it seeks time for the parties to file a settlement in this proceeding. Granting this Motion will not prejudice any party. The Motion will be granted.

6. On or before January 9, 2004, the parties shall file a written settlement in this proceeding. In the event the parties are unable to reach a settlement by that date, Applicant shall file, on or before January 14, 2004, a proposed procedural schedule (including, if necessary, a proposed new hearing date) to which all parties agree.¹

7. In light of the substance of the Motion, the need to address the Motion as soon as possible, and the absence of prejudice to any party, the Motion for Waiver of Response Time will be granted. Response time to the Motion will be waived.

II. ORDER

A. It Is Ordered That:

1. Applicant Town & Country Transportation Services, Inc.'s Motion for an Extension of Time to File its list of witnesses and copies of its exhibits is granted.

¹ In determining a new procedural schedule, the parties are to keep in mind that, absent Applicant's waiver of the statutory time frame or a finding of extraordinary circumstances, a Commission decision in this proceeding should issue on or before June 18, 2004. See Decision No. R03-1405-I at ¶ I.9.

2. On or before January 9, 2004, the parties shall file a settlement. In the event a settlement is not filed, Applicant Town & Country Transportation Services, Inc., shall make, on or before January 14, 2004, a filing which complies with the requirements of ¶ I.6 of this Order.

3. Absent further order, the other filing dates and the hearing date established in Decision No. R03-1405-I remain in effect.

4. The Motion for Waiver of Response Time is granted.

5. Response time to the Applicant's Motion for an Extension of Time to File its list of witnesses and copies of its exhibits is waived.

6. This Order shall be effective immediately.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Administrative Law Judge