

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04A-049BP

IN THE MATTER OF THE APPLICATION OF DIALED-IN-AUTO, LLC, 3060 SOUTH DAHLIA STREET, DENVER, COLORADO 80222 FOR AUTHORITY TO OPERATE AS A CONTRACT CARRIER BY MOTOR VEHICLE FOR HIRE.

**INTERIM ORDER OF
ADMINISTRATIVE LAW JUDGE
DALE E. ISLEY
GRANTING MOTION TO
RESTRICTIVELY AMEND
APPLICATION AND FOR
WITHDRAWAL OF INTERVENTION;
ESTABLISHING DEADLINE FOR
RETENTION OF LEGAL COUNSEL**

Mailed Date: April 12, 2004

I. STATEMENT

1. The captioned application of Dialed-In-Auto, LLC (Dialed-In), was filed with the Colorado Public Utilities Commission (Commission) on January 29, 2004, and was published in the Commission's "Notice of Applications Filed" on February 9, 2004.

2. Golden West Commuter, LLC (Golden West) and R&R Transportation, Inc. (R&R), have filed interventions in this matter.

3. This proceeding was originally scheduled for hearing on April 12, 2004. However, the hearing was vacated and a pre-hearing conference was scheduled and held on that date. *See*, Decision No. R04-0366-I. Golden West appeared through its legal counsel.¹ Dialed-

¹ Counsel participated in the conference via telephone.

In and R&R appeared through their respective members or officers; Ms. Washington and Mr. Mohammadi for Dialed-In and Ms. Rodriguez and Mr. Randall for R&R.²

4. The first matter discussed was the “Stipulation of Parties; Motion to Restrictively Amend Application and to Withdraw Intervention” (Stipulation) filed by Dialed-In and Golden West on March 26, 2004. The Stipulation was rejected on March 29, 2004, since it had not been properly executed by Dialed-In. *See*, Decision No. R04-0320-I. At the conference, the restrictive amendments described in the Stipulation were re-offered by Dialed-In and were accepted by Golden West. Under the terms of the Stipulation, this application has been amended to read as follows:

For authority to operate as a contract carrier by motor vehicle for hire for the transportation of

passengers and their baggage

between all points in the Counties of Adams, Arapahoe, Boulder, Broomfield, Denver, Douglas, and Larimer, State of Colorado.

RESTRICTIONS:

- I. Restricted to providing transportation services for: (A) Jewish Family Service of Colorado, 3201 South Tamarac Drive, Denver, Colorado 80231; and (B) Arapahoe County Transportation Services, 1690 West Littleton Boulevard, Littleton, Colorado 80120; and
- II. Restricted against providing transportation services to or from Denver International Airport, Denver, Colorado.

5. The amendments to the application described above are restrictive in nature, clearly stated, and enforceable. Such amendments will, therefore, be accepted and the intervention previously filed by Golden West may be deemed withdrawn.

² Mr. Christopher Grace, a representative of Dialed-In, also attended a portion of the pre-hearing conference.

6. The next matter discussed was the desire of both Dialed-In and R&R to retain legal counsel in this matter. Both parties were granted a two-week period of time to retain counsel. Such counsel shall formally enter their appearance in this matter on or before April 26, 2004. Along with their entry of appearance, counsel shall also provide advisements concerning their availability for a one-day hearing in this matter to be held no later than June 15, 2004. Upon receipt of those advisements, a subsequent order will be issued formally setting this matter for hearing and establishing a procedural schedule governing the same.

II. ORDER

A. It is Ordered That:

1. The stipulation to amend this application described in Section I, Paragraph 4 above is accepted and approved. Unless further restricted, any authority granted to Dialed-In Auto, LLC, in this proceeding will be as described in Section I, Paragraph 4 of this Order.

2. Dialed-In Auto, LLC and R&R Transportation, Inc., shall retain legal counsel and cause to have such counsel formally enter their appearance in this matter on or before April 26, 2004.

3. On or before April 26, 2004, counsel for the parties shall advise of their availability for a one-day hearing to be held no later than June 15, 2004.

4. This Order shall be effective immediately.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Administrative Law Judge