

Decision No. R04-0648-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04F-265CP

BOULDER EXPRESS, LLC,

COMPLAINANT,

V.

BOULDER SHUTTLE, LLC,

RESPONDENT.

**INTERIM ORDER OF
ADMINISTRATIVE LAW JUDGE
DALE E. ISLEY
GRANTING STIPULATED MOTION
TO CONTINUE HEARING AND
FOR WAIVER OF 4 CCR 723-1-72(A)(9)
AND SCHEDULING HEARING**

Mailed Date: June 16, 2004

I. STATEMENT

1. The captioned proceeding was initiated on May 19, 2004, when the Complainant, Boulder Express, LLC (Boulder Express), filed a Formal Complaint with the Colorado Public Utilities Commission (Commission) against Respondent, Boulder Shuttle, LLC (Boulder Shuttle).

2. On May 25, 2004, the Commission issued an Order Setting Hearing and Notice of Hearing setting this matter for hearing on July 6, 2004, at 9:00 a.m. in Denver, Colorado.

3. On June 10, 2004, Boulder Shuttle filed a Stipulated Motion to Vacate and Reset Hearing (Motion for Continuance) and Motion for Extension or Waiver of Time to Request Same (Motion for Waiver).

4. The Motion for Continuance requests that the current hearing date be vacated and that the matter be re-scheduled for hearing sometime between August 10 and 31, 2004 (except August 18 or 30, 2004). As grounds therefore, Boulder Shuttle states that one of its principal witnesses and its counsel will be unavailable on July 6, 2004, the day after the July 4, 2004 holiday. The Motion for Continuance states that Boulder Express has no objection to re-scheduling the hearing within that timeframe.

5. The Motion for Waiver requests either an enlargement of the time provided by Rule 72(a)(9) of the Commission's Rules of Practice and Procedure, 4 *Code of Colorado Regulations* 723-1-72(a)(9), for requesting a hearing continuance or a waiver of that provision.

6. Good grounds having been shown, the Motion for Continuance and the Motion for Waiver will be granted. The matter will be re-scheduled for hearing on August 19, 2004, by the Order that follows.

II. ORDER

A. It Is Ordered That:

1. The hearing of this matter, currently scheduled for July 6, 2004, is vacated.

2. This matter is re-scheduled for hearing as follows:

DATE: August 19, 2004

TIME: 9:00 a.m.

PLACE: Commission Hearing Room
1580 Logan Street, OL2
Denver, Colorado

3. This Order shall be effective immediately.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Administrative Law Judge