

Decision No. R04-0684-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NOS. 04G-061EC AND 04G-194EC

PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO,

COMPLAINANT,

V.

LAWRENCE TORREZ, D/B/A ABSOLUTELY DEVINE LIMOUSINES,

RESPONDENT.

**INTERIM ORDER OF
ADMINISTRATIVE LAW JUDGE
DALE E. ISLEY
GRANTING MOTION TO CONSOLIDATE**

Mailed Date: June 22, 2004

I. STATEMENT

1. On June 14, 2004, the Staff of the Colorado Public Utilities Commission filed a Motion to Consolidate Docket No. 04G-061EC with Docket No. 04G-194EC (Motion to Consolidate) and for Shortened Response Time (Motion to Shorten) in the captioned proceedings.

2. On June 16, 2004, the Motion to Shorten was granted, in part. *See*, Decision No. R04-0657-I. That decision required that any desired responses to the Motion to Consolidate be filed on or before June 21, 2004. A review of the Commission's files in these matters reveals that the Respondent, Lawrence Torrez, doing business as Absolutely Devine Limousine (Torrez), did not respond to the Motion to Consolidate.

3. Rule 79(a) of the Commission's Rules of Practice and Procedure, 4 *Code of Colorado Regulations* 723-1-79(a), authorizes the Commission to consolidate proceedings when the issues are substantially similar and the rights of the parties will not be prejudiced.

4. Here, both proceedings involve the same parties and virtually identical issues. Civil Penalty Assessment Notice (CPAN) No. 28402 issued in Docket No. 04G-061EC charges Torrez with violating §§ 40-16-103 and 40-16-104, C.R.S., as does CPAN No. 28573 issued in Docket No. 04G-194EC.¹ There is no reason to believe that consolidating these proceedings for hearing purposes will prejudice any party. Indeed, consolidation will promote judicial economy and more efficient use of resources by all concerned.

5. For the foregoing reasons, the Motion to Consolidate will be granted. Both proceedings will be heard on July 1, 2004, commencing at 1:00 p.m., the hearing date and time currently scheduled in connection with Docket No. 04G-061EC.

II. ORDER

A. It Is Ordered That:

1. The Motion to Consolidate Docket No. 04G-061EC with Docket No. 04G-194EC filed by the Staff of the Colorado Public Utilities Commission is granted.

2. These matters are scheduled for hearing as follows:

DATE: July 1, 2004

TIME: 1:00 p.m.

PLACE: Commission Hearing Room
1580 Logan Street, Office Level 2
Denver, Colorado

¹ CPAN No. 28573 includes an additional charge of violating Part 392.2 of Title 49 of the *Code of Federal Regulations*.

3. This Order shall be effective immediately.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Administrative Law Judge