

Decision No. R04-0709-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 03F-470W

CASCADE VILLAGE CONDOMINIUM ASSOCIATION, INC., AND MORE THAN
25 INDIVIDUAL UTILITY CUSTOMERS OF MILL CREEK WATER SALES &
DISTRIBUTION, LLC,

COMPLAINANTS,

V.

MILL CREEK WATER SALES & DISTRIBUTION, LLC,

RESPONDENT.

**INTERIM ORDER OF
ADMINISTRATIVE LAW JUDGE
MANA L. JENNINGS-FADER
GRANTING JOINT MOTION, VACATING
AND RESCHEDULING HEARING DATES,
AND WAIVING RESPONSE TIME**

Mailed Date: June 25, 2004

I. STATEMENT

1. On October 27, 2003, Cascade Village Condominium Association, Inc., and more than 25 individual customers of Mill Creek Water Sales & Distribution, LLC (Complainants), filed the Complaint which commenced this docket. On December 2, 2003, Mill Creek Water Sales & Distribution, LLC (Respondent), filed its Answer and Motion to Dismiss. Staff of the Commission (Staff) has intervened. These are the only parties.

2. By Decision No. R04-0358-I the undersigned Administrative Law Judge (ALJ) established a procedural schedule. By Decision No. R04-0613-I the ALJ scheduled the hearing in this matter for June 30, 2004 and July 15, 2004.

3. On June 24, 2004, Complainants and Respondent filed a Joint Motion to Vacate and Reschedule Hearings (Motion). In that filing the parties request that the now-scheduled hearing be vacated because the hearing dates are separated by two weeks and, therefore, are burdensome on out-of-town witnesses. The parties request that the hearings be held on July 27 and 28, 2004. They represent that Staff does not object to the granting of the Motion. Based on the Motion, the ALJ understands that the three parties, their counsel, and their witnesses are available for hearing on July 27 and 28, 2004.

4. The Motion states good cause for the requested change in hearing dates. As no party objects, no party will be prejudiced by granting the request. The Motion will be granted, and the hearing dates will be changed as requested.

5. The Motion is unopposed. Response time to the Motion will be waived.

6. The procedural and other requirements established in prior orders entered in this matter remain in effect. Only the hearing dates are changed.

II. ORDER

A. It Is Ordered That:

1. The Joint Motion to Vacate and Reschedule Hearings is granted.
2. The hearing scheduled for June 30, 2004 and July 15, 2004, is vacated.

3. Hearing in this matter shall be conducted at the following dates, time, and place:

DATES: July 27 and 28, 2004

TIME: 9:00 a.m. each day

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

4. The procedural schedule, the notification requirement, the filing, service, and other requirements established in prior orders entered in this matter continue in effect.

5. Response time to the Joint Motion to Vacate and Reschedule Hearings is waived.

6. This Order shall be effective immediately.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Administrative Law Judge