

Decision No. R04-1053-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04G-146EC

PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO,

COMPLAINANT,

V.

KUBOSKE'S SAN JUAN SCENIC JEEP TOURS, INC., AKA/FKA SAN JUAN SCENIC JEEP TOURS, AKA/FKA KUBOSKE'S AKA/FKA SAN JUAN SCENIC JEEP TOURS, INC.,

RESPONDENT.

**INTERIM ORDER OF
ADMINISTRATIVE LAW JUDGE
WILLIAM J. FRITZEL
GRANTING RESPONDENT'S REQUEST
TO CONTINUE THE HEARING,
AND RESETTING HEARING**

Mailed Date: September 2, 2004

I. STATEMENT

1. On May 22, 2004, Civil Penalty Assessment Notice (CPAN) No. 28427 was served on Kuboske's San Juan Scenic Jeep Tours, Inc., also known as/formerly known as San Juan Scenic Jeep Tours, also known as/formerly known as Kuboske's, also known as/formerly known as San Juan Scenic Jeep Tours, Inc. (Respondent).

2. The Commission scheduled a hearing in this matter for August 31, 2004.

3. On August 30, 2004, Respondent orally requested by telephone call to continue the hearing since Respondent could not appear at the scheduled hearing for the reason that a medical emergency in the family prevented Respondent from appearing at the scheduled hearing.

The undersigned Administrative Law Judge (ALJ) contacted counsel for Complainant, Staff of the Public Utilities Commission of the State of Colorado informing counsel of the request. Applicant's counsel indicated that Applicant had no objection to the request to continue the hearing.

4. Since this is Respondent's first request to continue the hearing, and good grounds are stated, the request will be granted.

5. Respondent is advised that any request or motion in the future shall be by written motion filed with the Commission with a copy mailed to Applicant's counsel and a certificate of service as required by the Commission's Rules of Practice and Procedure. The pleading or motion shall be filed in a timely manner. No further continuance will be granted to Respondent unless it is shown that extraordinary circumstances exist.

II. ORDER

A. It Is Ordered That:

1. The request of Respondent Kuboske's San Juan Scenic Jeep Tours, Inc., also known as/formerly known as San Juan Scenic Jeep Tours, also known as/formerly known as Kuboske's, also known as/formerly known as San Juan Scenic Jeep Tours, Inc., to continue the hearing is granted.

2. The hearing currently scheduled for August 31, 2004 is vacated.

3. The hearing is rescheduled as follows:

DATE: October 6, 2004

TIME: 9:00 a.m.

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

4. Respondent shall file any future motion with the Commission in writing, in a timely fashion, with a copy of the motion mailed to Complainant, Staff of the Colorado Public Utilities Commission's attorney and a certificate of service.

5. This Order is effective immediately.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Administrative Law Judge