

Decision No. R04-1573-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04A-585CP

IN THE MATTER OF THE APPLICATION OF RHITT FRASER, DOING BUSINESS AS SUMMIT EXPRESS, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.

**INTERIM ORDER OF
ADMINISTRATIVE LAW JUDGE
ANTHONY M. MARQUEZ
GRANTING MOTION TO VACATE
JANUARY 20, 2005 HEARING DATE
AND RESETTING HEARING**

Mailed Date: December 29, 2004

I. STATEMENT

1. This docket concerns the Application for a Certificate of Public Convenience and Necessity to operate as a common carrier by motor vehicle for hire by Rhitt Fraser, doing business as Summit Express (Summit Express). Hearing in this case is now set for January 20, 2005.

2. On December 2, 2004, Intervenor Shamrock Taxi of Fort Collins, Inc., doing business as Shamrock Taxi (Shamrock), filed its Motion to Vacate January 20, 2005 Hearing Date and Reset. The motion requests, due to a conflict in the schedule of Shamrock's counsel, that the hearing be rescheduled to a date other than January 20, 2005. The motion also suggests a number of days available to Shamrock and its counsel. Summit Express did not file a response in opposition to the motion. And since no response was filed to the specific dates suggested by Shamrock, I assume that any of those dates are available to Summit Express.

3. Good cause having been stated, I grant the motion. The hearing in this case will be reset to January 31, 2005 as set forth below.

II. ORDER

A. It Is Ordered That:

1. The Motion to Vacate January 20, 2005 Hearing Date and Reset by Shamrock Taxi of Fort Collins, Inc., doing business as Shamrock Shuttle, Inc., is granted. The January 20, 2005 hearing is vacated.

2. Hearing in this matter is now scheduled as follows:

DATE: January 31, 2005
TIME: 10:00 a.m.
PLACE: City of Fort Collins
City Council Chambers
300 La Porte
Fort Collins, Colorado

3. This Order is effective immediately.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Administrative Law Judge