

Decision No. R14-0293

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14A-0116T

IN THE MATTER OF THE APPLICATION OF THE SUMMIT COUNTY E-911
EMERGENCY TELEPHONE SERVICES AUTHORITY BOARD TO INCREASE THE
EMERGENCY TELEPHONE CHARGE PURSUANT TO § 29-11-102(2)(B), C.R.S.

**RECOMMENDED DECISION OF
ADMINISTRATIVE LAW JUDGE
ROBERT I. GARVEY
SETTING PREHEARING CONFERENCE**

Mailed Date: March 17, 2014

I. **STATEMENT**

1. On February 6, 2014, the Summit County E-911 Emergency Telephone Service Authority Board (Applicant) filed an application to assess an emergency telephone surcharge rate of \$1.95 per service user per month pursuant to § 29-11-102(2)(b), C.R.S. The Application seeks to increase the Applicant's emergency telephone service surcharge rate by \$0.45 from \$1.50 to \$1.95 per service month.

2. On February 7, 2014, the Commission gave notice of the Application; established an intervention period, which has expired; and established a procedural schedule. This Decision will vacate that procedural schedule.

3. On March 7, 2014, the Colorado Office of Consumer Counsel (OCC) timely filed its Notice of Intervention of Right and Request for Hearing in this proceeding. In this filing, the OCC does not state that it opposes or contests the Application. The OCC does identify specific issues and areas that it apparently intends to address in this proceeding. The identified issues and areas are sufficient to warrant a hearing in this matter.

4. On March 7, 2014, Staff of the Commission (Staff) also timely filed its Notice of Intervention, Entry of Appearance, Notice Pursuant to Rule 1007(a) and Rule 1401, and Request for Hearing. In this filing, Staff does not state that it opposes or contests the Application. Staff does identify specific issues and areas that it apparently intends to address in this matter. The identified issues and areas are sufficient to merit a hearing

5. The intervention period has expired. Review of the Commission file in this proceeding reveals that no other person has filed an intervention of right or a motion for leave to intervene.

6. The OCC and Staff, collectively, are the Intervenors. Applicant and Intervenors, collectively, are the Parties.

7. On March 12, 2014, by Minute Order, the Commission referred this matter to an Administrative Law Judge (ALJ) and it was subsequently assigned to the undersigned ALJ.

8. Applicant did not file its direct testimony and exhibits at the time it filed the Application. By Minute Order, the Commission deemed the Application complete as of March 12, 2014. Accordingly and pursuant to § 40-6-109.5, C.R.S., absent an enlargement of time by the Commission¹ or Applicant's waiver of the statutory provision, a Commission decision on the Application should issue on or before 210 days from that date (*i.e.*, October 8, 2014).

9. It is necessary to schedule a hearing, to establish a procedural schedule, and to discuss discovery and other matters. To do so, a prehearing conference will be held on April 3, 2014.

¹ Section 40-6-109.5(4), C.R.S., allows an additional 90 days upon a finding of extraordinary circumstances.

10. The undersigned ALJ expects the Parties to come to the prehearing conference with proposed dates for disclosures, including hearing dates, for the procedural schedule. The Parties must consult prior to the prehearing conference with respect to the listed matters and are encouraged to present, if possible, a procedural schedule and hearing dates that are acceptable to all Parties.

11. If the Parties reach agreement on a procedural schedule, they may file the proposed procedural schedule and a motion to vacate the prehearing conference.

II. ORDER

A. It Is Ordered That:

1. The Colorado Office of Consumer Counsel is a party in this proceeding.
2. Staff of the Commission is a party in this proceeding.
3. The procedural schedule established in the Notice of Application Filed dated February 7, 2014 is vacated.

4. A prehearing conference in this matter is scheduled as follows:

DATE: April 3, 2014
TIME: 9:00 a.m.
PLACE: Commission Hearing Room
1560 Broadway, Suite 250
Denver, Colorado

5. At the prehearing conference, the Parties shall be prepared to discuss the matters set out above.

6. The prehearing conference may be vacated in the event the Parties file a motion that comports with ¶ 11, above.

7. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ROBERT I. GARVEY

Administrative Law Judge

ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Doug Dean".

Doug Dean,
Director