

Decision No. R14-0352-I

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.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
ROBERT I. GARVEY
VACATING PREHEARING CONFERENCE AND
ADOPTING PROCEDURAL SCHEDULE**

Mailed Date: April 2, 2014

I. **STATEMENT**

1. On February 6, 2014, the Summit County E-911 Emergency Telephone Service Authority Board (Applicant or Summit County) 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.

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.

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.

5. On March 12, 2014, by Minute Order, the Commission referred this matter to an Administrative Law Judge (ALJ).

6. On March 17, 2014, by Interim Decision No. R14-0293-I, a prehearing conference was scheduled for April 3, 2014, to address a procedural schedule. The Decision also advised the parties that if a procedural schedule was agreed to and filed by the parties prior to the prehearing conference that the prehearing conference could be vacated.

7. On April 2, 2014, the Staff filed its Unopposed Motion to Vacate Prehearing Conference (Motion). In the Motion the parties state that they have agreed to a procedural schedule which was included as an attachment to the Motion. The Motion requests the following procedural schedule be adopted and response time to the Motion be waived:

Direct Testimony (Summit County)	April 17, 2014
Answer Testimony (Staff & OCC)	May 8, 2014
Rebuttal Testimony (Summit County)	May 28, 2014
Cross Answer Testimony (Staff & OCC)	
Corrections to Testimony and Exhibits	June 6, 2014
File Stipulations/Settlement	
Deadline for Prehearing Motions & Dispositive Motions	June 10, 2014
Evidentiary Hearing	June 13 and 16, 2014
Statements of Position	June 30, 2014

8. The Parties also request the following discovery procedures and schedule:

Response time for all discovery: seven calendar days

Cutoff for discovery concerning Summit County’s direct: May 8, 2014

Cutoff for discovery concerning Staff & OCC answer: May 28, 2014

Cutoff for discovery concerning Summit County rebuttal & Staff and OCC cross answer:

June 6, 2014

9. The proposed procedural schedule and discovery procedures and schedule are acceptable to the undersigned ALJ and good cause is found to grant the Motion to vacate the prehearing conference.

II. ORDER

A. It Is Ordered That:

1. The Unopposed Motion to Vacate Prehearing Conference (Motion), filed by the Staff of the Public Utilities Commission on April 2, 2014, is granted.

2. Response time to the Motion is waived.

3. The prehearing conference scheduled for April 3, 2014 is vacated.

4. The procedural schedule agreed to by the parties and listed in ¶ 7 is adopted.

5. The discovery procedures and schedule agreed to by the parties and listed in ¶ 8 is adopted.

6. An evidentiary hearing is scheduled in this matter as follows:

DATES: June 13 and 16, 2014

TIME: 9:00 a.m.

PLACE: Hearing Room
Colorado Public Utilities Commission
1560 Broadway, Suite 250
Denver, Colorado

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