

Decision No. R14-0372-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14A-0147T

IN THE MATTER OF THE APPLICATION OF THE CHAFFEE COUNTY EMERGENCY TELEPHONE SERVICE AUTHORITY TO ASSESS AN EMERGENCY TELEPHONE SURGCHARGE RATE OF ONE DOLLAR AND FIFTY CENTS (\$1.50) PER SERVICE USER PER MONTH PURSUANT TO § 29-11-102(2)(B), C.R.S.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
MELODY MIRBABA
SCHEDULING HEARING AND
ESTABLISHING DEADLINES**

Mailed Date: April 8, 2014

I. **STATEMENT**

1. On February 18, 2014, the Chafee County Emergency Telephone Service Authority (Applicant) filed an application to assess an emergency telephone surcharge rate of \$1.50 per service user per month pursuant to § 29-11-102(2)(b), C.R.S.

2. On February 26, 2014, the Commission gave public notice of the Application and established a procedural schedule.

3. Commission Staff (Staff) and the Colorado Office of Consumer Counsel (the OCC) timely intervened of right.

4. The OCC and Staff, collectively, are the interveners. Applicant and interveners, collectively, are the parties.

5. On March 19, 2014, by Minute Order, the Commission referred this matter to an Administrative Law Judge (ALJ) for disposition.

6. On March 25, 2014, the ALJ scheduled this matter for a prehearing conference for April 8, 2014. Decision No. R14-0323-I. On April 7, 2014, Staff filed an Unopposed Motion to Vacate the Prehearing Conference (Motion). The Motion provided a procedural schedule and hearing date that the parties have agreed-upon, and requested that the prehearing conference be vacated.

7. The Motion also sets forth the parties' agreements concerning discovery and requests those agreements be included in this procedural order. The ALJ approves the parties' agreements and will include the agreements in the ordering paragraphs below.

8. By Decision No. R14-0371-I, the ALJ vacated the prehearing conference.

9. The ALJ will order the procedural schedule proposed by the parties and will schedule the hearing as requested.

II. ORDER

A. It Is Ordered That:

1. A hearing will be held on the merits of the Application filed by Chafee County Emergency Telephone Service Authority (Applicant) as follows:

DATE: June 18, 2014

TIME: 10:00 a.m.

PLACE: Commission Hearing Room
1560 Broadway, Suite 250
Denver, Colorado 80202

2. Applicant shall file and serve its supplemental direct testimony and exhibits (if any), by 5:00 p.m. on April 22, 2014.

3. Colorado Office of Consumer Counsel and Commission trial Staff, (collectively interveners), shall file and serve their answer testimony and exhibits by 5:00 p.m. on May 12, 2014.

4. Applicant shall file and serve its rebuttal testimony and exhibits by 5:00 p.m. on May 30, 2014.

5. Intervenors shall file and serve cross-answer testimony and exhibits by 5:00 p.m. on May 30, 2014. Cross-answer testimony responds only to the answer testimony of another intervener.

6. All parties shall file and serve their corrected testimony and exhibits by 5:00 p.m. on June 9, 2014.

7. All parties shall file and serve any stipulation or settlement reached by 5:00 p.m. on June 9, 2014.

8. All parties shall file and serve prehearing and dispositive motions by 5:00 p.m. on June 11, 2014.

9. All parties shall file their post-hearing statement of position, to which no response will be permitted, by 5:00 p.m. on July 9, 2014.

10. The following discovery deadlines apply:

a) The deadline to issue discovery concerning Applicant's direct and supplemental testimony and exhibits is May 12, 2014.

b) The deadline to issue discovery concerning interveners' answer testimony and exhibits is May 30, 2014.

c) The deadline to issue discovery concerning rebuttal and cross-answer testimony and exhibits is June 9, 2014.

10. Except for responses to discovery requests concerning rebuttal and cross-answer testimony and exhibits, the response time to discovery requests shall be seven calendar days.

11. Response time to discovery requests concerning rebuttal and cross-answer testimony and exhibits shall be five calendar days.

12. All exhibits to be introduced at the evidentiary hearing shall be identified by sequential numbers (*e.g.*, Exhibit 1, Exhibit 2, Exhibit 3). The parties shall coordinate with each other to ensure the correct numbering sequence of exhibits (*e.g.*, Applicant may have exhibit numbers 1-50, the OCC may have exhibit numbers 50-100, and Staff may have exhibit numbers 100-150).

13. Exhibits shall include the following information: exhibit number, proceeding number, name of the witness who will testify to the exhibit's foundation, and the date of the hearing. The parties must have all their exhibits stamped prior to the time the hearing is scheduled to begin.

14. At the hearing, the parties shall bring an original and three copies of each pre-marked exhibit they intend to introduce, along with a completed exhibit list in the format set forth in Appendix A to this Decision.

15. If any exhibit is longer than two pages, the party offering the exhibit shall sequentially number *each page* of the exhibit.

16. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

MELODY MIRBABA

Administrative Law Judge

ATTEST: A TRUE COPY

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

Doug Dean,
Director