

Decision No. R14-0643-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 13F-1372CP

COLORADO JITNEY LLC,

COMPLAINANT,

V.

EVERGREEN TRAILS INC., DOING BUSINESS AS HORIZON COACH LINES,

RESPONDENT.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
MELODY MIRBABA
CONTINUING AND RESCHEDULING HEARING**

Mailed Date: June 12, 2014

I. STATEMENT, FINDINGS, AND CONCLUSIONS

1. Only those portions of the procedural history necessary to understand this Decision are included.

2. On December 23, 2013, Colorado Jitney LLC filed a formal Complaint against Evergreen Trails, Inc., doing business as Horizon Coach Lines (Respondent). That Complaint instituted this proceeding.

3. On January 8, 2014, the Commission referred the Complaint to an administrative law judge (ALJ) for disposition.

4. On April 28, 2014, the ALJ scheduled the matter for a hearing to be held on June 13, 2014. Decision No. R14-0436-I. The same Decision required the parties to file any settlement or stipulation reached by 5:00 p.m. on June 10, 2014.

5. On June 10, 2014, the parties, through counsel, informally notified the ALJ that although they have been actively engaged in settlement discussions, they have been unable to finalize their agreement. Moreover, Respondent indicated that one of its witnesses is now unavailable on the hearing date. The parties agreed that they cannot move forward with a hearing on June 13, 2014, and asked that the hearing be continued. This will also allow the parties additional time to finalize their settlement agreement.

6. The ALJ finds that the parties have shown good cause to continue the hearing. Indeed, if the parties resolve their disputes, a hearing may be unnecessary. This could save the parties' resources and would serve the interests of administrative economy.

7. The ALJ will continue the hearing. The ALJ will schedule a new hearing date, and will set a deadline for the parties to file any stipulation or settlement reached.

8. If the parties do not file a stipulation, the hearing will address the merits of the Complaint. If the parties do file a stipulation, the hearing may be held regarding the stipulation. In such a circumstance, the ALJ will inform the parties as to whether it is necessary to hold a hearing regarding the stipulation.

II. ORDER

A. It Is Ordered That:

1. The June 13, 2014 9:30 a.m. hearing is continued. A hearing on the Complaint will instead be held as follows:

DATE: July 24, 2014
TIME: 9:30 a.m.
PLACE: Commission Hearing Room
1560 Broadway, Suite 250
Denver, Colorado 80202

2. The parties shall file any stipulation or settlement reached on or by 5:00 p.m. on July 18, 2014.

3. 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