

Decision No. R14-0890-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
GRANTING UNOPPOSED MOTION
TO MODIFY PROCEDURAL SCHEDULE**

Mailed Date: July 25, 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.

3. On March 7, 2014, the Colorado Office of Consumer Counsel 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.

7. On April 2, 2014, by Interim Decision No. R14-0352-I, a procedural schedule was adopted and an evidentiary hearing was scheduled for June 13 and 16, 2014.

8. On May 8, 2014, the Applicant filed its Unopposed Motion for Waiver of the Statutory Timeframe and to Establish a Revised Procedural Schedule.

9. By Interim Decision No. R14-0493-I, issued on May 8, 2014, a new procedural schedule was adopted and an evidentiary hearing was rescheduled for September 11 and 12, 2014.

10. On July 22, 2014, Staff filed its Unopposed Motion to Modify Procedural Schedule (Motion). In their Motion Staff states that the parties have reached a settlement agreement in principal and are currently working to reduce the agreement to writing. The parties request that the procedural schedule be suspended with the exception of the date to file settlement agreement (September 8, 2014) and the first day of the evidentiary hearing (September 11, 2014), which the parties propose be used for a hearing on the settlement if needed.¹

¹ Staff, on behalf of the parties, states a preference for any questions concerning a proposed settlement to be addressed in writing due to the Applicant's distance from Denver. Without a settlement agreement, the undersigned ALJ cannot determine if an in person hearing will be necessary. After a settlement agreement has been filed the ALJ will decide if a hearing on the settlement agreement will be required.

11. Good cause is found to grant the motion and suspend the procedural schedule, with the exception of the date to file a settlement agreement and the date for the evidentiary hearing.

12. Since the Motion is unopposed, the undersigned ALJ shall *sua sponte* waive response time.

II. ORDER

A. It Is Ordered That:

1. The Unopposed Motion to Modify Procedural Schedule (Motion), filed by the Staff of the Public Utilities Commission on July 22, 2014, is granted.

2. The procedural schedule with the exception of the date to file settlement agreement and the first day of the evidentiary hearing is vacated.

3. Response time to the Motion is waived.

4. 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

Doug Dean,
Director