

# STATE OF COLORADO

## EXECUTIVE CHAMBERS

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Richard D. Lamm  
Governor

## EXECUTIVE ORDER

### AUTHORIZING THE APPOINTMENT OF CONFLICT COUNSEL IN LITIGATION INVOLVING THE COLORADO PUBLIC UTILITIES COMMISSION

- WHEREAS, the Public Utilities Commission is engaged in a lawsuit entitled Colorado Office of Consumer Counsel v. Colorado Public Utilities Commission, Mountain States Telephone & Telegraph Company, and AT&T Communications of the Mountain States; and
- WHEREAS, the complainant, Office of Consumer Counsel (OCC), is challenging the legality of certain rules and regulations adopted by the Public Utilities Commission (PUC); and
- WHEREAS, the Office of the Attorney General of Colorado, prior to the filing of such lawsuit, indicated by letter to the PUC that the Attorney General felt that said rules and regulations were invalidly adopted; and
- WHEREAS, the Attorney General has determined that it is unable to defend the PUC in the above-named lawsuit in light of its legal opinion opposing the PUC's position on this issue; and
- WHEREAS, the Governor is authorized, pursuant to C.R.S. 24-31-101(e), to permit an agency of the executive branch of state government to employ counsel in the event that the Governor finds that "the attorney general is unable or has failed or refused to provide legal services to an agency of state government;"

