

STATE OF COLORADO

EXECUTIVE CHAMBERS

136 State Capitol
Denver, Colorado 80203-1792
Phone (303) 866-2471



Richard D. Lamm
Governor

EXECUTIVE ORDER

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

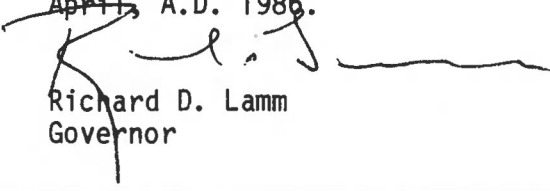
- WHEREAS, the Public Utilities Commission is engaged in a lawsuit entitled Colorado Office of Consumer Counsel v. Colorado Public Utilities Commission, Mountain States Telephone & Telegraph Company, and AT&T Communications of the Mountain States; and
- WHEREAS, the complainant, Office of Consumer Counsel (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;"

EXECUTIVE ORDER
AUTHORIZING THE APPOINTMENT OF CONFLICT COULSEL IN LITIGATION
INVOLVING THE COLORADO PUBLIC UTILITIES COMMISSION

NOW THEREFORE, under and pursuant to the authority vested in me by C.R.S. 24-31-101, I, Richard D. Lamm, Governor of the State of Colorado, DO HEREBY FIND AND ORDER, that:

1. The Attorney General has refused to provide legal services to the Colorado Public Utilities Commission in the litigation described above, and therefore the Public Utilities Commission may employ counsel of its own choosing to provide legal services in connection with said litigation.
2. Expenses incurred because of the employment of counsel by the Public Utilities Commission in this matter represent a lawful charge against the appropriations made by the General Assembly to the Department of Law.

Given under my hand and the
Executive Seal of the State of
Colorado, this eleventh day of
April, A.D. 1986.


Richard D. Lamm
Governor

RECEIVED
APR 22 1986
COLORADO STATE LIBRARY
State Publications Depository