

(Decision No. C93-83)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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INVESTIGATION INTO THE)
DEVELOPMENT OF RULES)
CONCERNING INTEGRATED) DOCKET NO. 91R-642E
RESOURCE PLANNING.)

**COMMISSION ORDER GRANTING WAIVER
TO FILE REQUEST TO OPEN DOCKET**

Mailing Date: January 25, 1993
Adopted Date: January 20, 1993

STATEMENT, FINDINGS, AND CONCLUSIONS

BY THE COMMISSION:

On December 30, 1992, the Commission adopted Electric Integrated Resource Planning Rules in this docket. The rules attached to Decision No. C92-1646 were delivered to the Secretary of State on December 30, 1992, were published in The Colorado Register on January 10, 1993, and will become effective state rules on January 31, 1993. Rule 3.01 provides:

Plan Filing: The utility shall file its first IRP on or before July 1, 1993. Every three years thereafter the utility shall file an original and 15 copies of a 20-year integrated resource plan ("IRP") with the Commission and an application requesting Commission approval of the plan. Whenever cooperative electric associations develop IRPs for other jurisdictional bodies, pursuant to C.R.S., § 40-9.5-107 and C.R.S. § 40-3-101, such cooperative electric associations shall file an original and 15 copies of the IRP with the commission within 30 days after submission of the plan to such other body. The IRPs filed by the cooperative electric associations shall not be formally approved.

Rule 8.01 Pre-IRP Filing Procedures, required the utilities to file with the Commission, at least 180 days prior to filing its IRP pursuant to C.R.S. § 3.02 a request to open a docket to resolve resource planning issues for that utility. One hundred eighty days before July 1, 1993 would have been December 30, 1992.

In that the rules will not become effective until January 31, 1993, it is impossible for Tri-State Generation and Transmission Company ("Tri-State"), Public Service Company of Colorado ("Public Service"), and WestPlains Energy ("WestPlains"), the utility parties to the docket, to file a request to open a docket to file resource plans by December 30, 1992.

Rule 9.01 authorizes general waivers on the application of a utility. However, the Commission construes this rule to authorize a waiver on the Commission's own motion. Accordingly, the Commission, on its own motion finds good cause to grant a waiver and extend the above date to file a request to open a docket to resolve resource planning issues and for each electric utility to file its Integrated Resource Plan.

THEREFORE THE COMMISSION ORDERS THAT:

Tri-State Generation and Transmission Company, Public Service Company of Colorado, WestPlains Energy are granted a waiver and an extension of time to February 1, 1993 to file with this Commission a request to open a docket to resolve resource planning issues. In addition, Tri-State, Public Service and WestPlains are granted a waiver of Rule 3.01 to the extent it requires a plan filing by July 1, 1993. Such plans shall be filed on or before August 1, 1993 in the absence of further orders by the Commission.

This Order is effective on its Mailed Date.

ADOPTED IN OPEN MEETING January 20, 1993.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners