

(Decision No. 74764)

*superseded
by
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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE RULES OF THE PUBLIC)
UTILITIES COMMISSION OF THE STATE OF COLORADO)
REGULATING THE SERVICE OF ELECTRIC UTILITIES)
WITHIN THE STATE OF COLORADO.)

CASE NO. 5320

SUPPLEMENTAL ORDER

April 22, 1970

- Appearances: Robert T. James, Esq., Colorado Springs,
Colorado, for Mountain View Electric
Association, Inc.;
- John J. Conway, Esq., Denver, Colorado,
for Colorado Rural Electric Association;
- William O. DeSouchet, Jr., Esq., Alamosa,
Colorado, for San Luis Valley Rural
Electric Co-op, Inc.;
- Baxter W. Arhold, Esq., Sterling, Colorado,
for Highline Electric Association;
- Erl H. Ellis, Esq., Denver, Colorado,
for Mountain Parks Electric, Inc. and
Grand Valley Rural Power Lines, Inc.;
- John R. Barry, Esq., Denver, Colorado,
for Western Colorado Power Company;
- Louis Johnson, Esq., Colorado Springs,
Colorado, for City of Colorado Springs;
- Richard L. Banta, Jr., Esq., Englewood,
Colorado, for Intermountain Rural Electric
Association, Inc.;
- David L. Roberts, Esq., Fort Morgan, Colorado,
for Morgan County Rural Electric Association;
- Robert R. Wilson, Esq., Cortez, Colorado,
for Empire Electric Association;
- Barney Houtchens, Esq., Greeley, Colorado,
for Home Light & Power Company;
- Fred L. Witsell, Esq., Denver, Colorado, and
H. M. Edmonds, Denver, Colorado, for
Public Service Company of Colorado;
- H. A. Galligan, Jr., Esq., Denver, Colorado,
for the Staff of the Commission.

S T A T E M E N T

BY THE COMMISSION:

In the above-numbered Case by Decision No. 68572 of November 25,
1966, this Commission prescribed "Rules Regulating the Service of Electric
Utilities". Said Rules became effective January 1, 1967. By a Supplemental
Order of June 10, 1969, Decision No. 73111, the Commission revised Rule 18 (b)

of said Rules and the revised Rule became effective July 1, 1969.

The Commission issued a "Notice of Hearing" to all interested parties in Case No. 5320 on February 25, 1970, signifying its intent of revising Rule 11 "Meter Rentals, and Customer Deposits". The hearing in regard to the revision of Rule 11 was set for Thursday, April 16, 1970, at 10 o'clock a.m., in the Hearing Room of the Commission, 1845 Sherman Street, Denver, Colorado. Transmitted with the Notice of Hearing to all the parties was a copy of proposed Rule 11 showing the changes to be considered at the hearing. Interested parties were invited to make suggestions, changes or revisions in said proposed Rule or to file an appropriate pleading to become a party to the proceeding on or before March 31, 1970.

Various electric utilities filed pleadings to become parties and the Commission, by Order, permitted the interventions as requested. The matter of the proposed change in Rule 11, in Case 5320, was consolidated for hearing with Case 5321 (Gas Rules), Case 5322 (Water Rules), Case 5323 (Telephone Rules) and the hearing was held at the scheduled time and place. At the conclusion of the hearing, the matters were taken under advisement.

Testimony was heard on behalf of the Staff and various intervenors in regard to the proposed Rule change.

FINDINGS OF FACT

THE COMMISSION FINDS:

That the Commission has jurisdiction of the instant matter.

That the Commission is fully advised in the premises.

That Rule 11, "Meter Rentals, and Customer Deposits", should be revised as set forth in the Order to follow.

O R D E R

THE COMMISSION ORDERS:

That Rule 11, "Meter Rentals, and Customer Deposits", of the Rules Regulating the Service of Electric Utilities is amended to read as follows:

Rule 11 - Meter Rentals and Customer Deposits

Meter Rentals and Customer Deposits. -- (a) No meter rental, as distinguished from a minimum charge for service, shall be charged by any utility for any service meter installed by it for measurements upon which bills are rendered.

(b) Any utility may require at any time from any customer or prospective customer a cash deposit intended to guarantee payment of current bills. Such required deposit shall not exceed the amount of an estimated ninety days' bill of such customer, or in the case of a customer whose bills are payable in advance, it shall not exceed an estimated sixty days' bill for such customer, except that in the event an extension of lines and facilities is required to furnish such prospective customer with service, the deposit may be the amount of the estimated bill for a longer period if so specified in the provisions of the extension policy of the utility. Simple interest shall be paid by the utility upon such deposits at the rate of seven percent per annum, payable upon the return of the deposit, or annually upon request of the customer, for the time such deposit was held by the utility and the customer was served by the utility, unless such period be less than six months. Interest payments may, at the option of the utility, be made either in cash, or by a credit to the customer's account. In computing interest, no consideration need be given to fractional parts of months.

(c) Each utility having on hand such deposits from customers, or hereafter receiving such deposits from customers, shall keep records to show:

- (1) The name of each customer making a deposit;
- (2) The premises occupied by the customer when making the deposit and each successive premise occupied while the deposit is retained by the utility;
- (3) The amount and date of making the deposit; and
- (4) A record of each transaction, such as the payment of interest, interest credited, etc., concerning such deposit.

(d) Each utility shall issue to every customer from whom such deposit is received a certificate of deposit.

(e) Each utility shall provide ways and means whereby a depositor who makes application for the return of his deposit or any balance to which he is entitled, but is unable to procure the original certificate of deposit, may not upon reasonable proof be deprived of his deposit or balance.

(f) Each utility shall file as part of its tariffs a brief statement setting forth its deposit requirement policy, explaining under what circumstances a deposit shall be required and when such deposit shall be returned.

Except as modified herein, Decision Nos. 68572 and 73111 shall remain in full force and effect.

That each utility shall file with the Commission, as a part of its tariffs, on or before July 1, 1970, the policy as required in part (f) above.

That Rule 11 shall become effective on July 1, 1970.

That this Order shall become effective forthwith.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



HENRY E. ZARLENGO

HOWARD S. BJELLAND

Commissioners

COMMISSIONER EDWIN R. LUNDBORG
NECESSARILY ABSENT AND NOT PARTICIPATING.

ATTEST: A TRUE COPY

Harry A. Galligan, Jr.

Harry A. Galligan, Jr., Secretary

Dated at Denver, Colorado, this
22nd day of April, 1970
hj