

Decision No. C03-0485

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

DOCKET NO. 03A-156FG

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APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR AN ORDER GRANTING TO IT A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO EXERCISE FRANCHISE RIGHTS IN THE TOWN OF LOCHBUIE, COLORADO.

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**DECISION GRANTING APPLICATION  
TO EXERCISE FRANCHISE RIGHTS**

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Mailed Date: May 9, 2003  
Adopted Date: May 7, 2003

**I. BY THE COMMISSION**

**Statement, Findings, and Conclusions**

1. On April 16, 2003, Public Service Company of Colorado (Public Service or Company) filed an application seeking a Commission order granting it a certificate of public convenience and necessity to exercise franchise rights in the Town of Lochbuie, Colorado (Lochbuie or Town).

2. The Commission first noticed this application to all interested persons, firms, and corporations on April 18, 2003. No petition to intervene or notice of intervention has been filed, and the application is uncontested. Accordingly, the application will be determined without a formal hearing, in accordance with § 40-6-109(5), C.R.S., and Rule 24 of the Commission's Rules of Practice and Procedure, 4 *Code of Colorado Regulations* 723-1.

3. Public Service is a Colorado corporation operating as a public utility subject to the jurisdiction of the Commission and is engaged *inter alia*, in the generation, transmission, purchase, distribution, and sale of electricity and the purchase, distribution, transportation, and

sale of natural gas in various areas in the State of Colorado. All operations to be conducted by Public Service under the certificate of public convenience and necessity sought in the instant application shall be under the name of Public Service Company of Colorado.

4. Public Service requests that the Commission issue an order granting to it a certificate of public convenience and necessity to exercise franchise rights in Lochbuie, in accordance with the franchise agreement approved by the Board of Trustees of the Town on February 5, 2003 as Ordinance No. 385.

5. The franchise is granted for a term of one year, expiring February 5, 2004, at a rate of 3 percent of all revenues received by the Company from the sale and transportation of gas to its customers within the Town, excluding revenues received from the sale of gas to Lochbuie.

6. The names of public utilities and other entities of like character providing similar services in or near the area involved in this application are Greeley Gas Company and K N Energy. The public convenience and necessity require approving the exercise of franchise rights granted by Lochbuie.

7. Public Service has been providing gas to residents of Lochbuie pursuant to a franchise agreement dated January 7, 1975. The franchise agreement was extended to February 5, 2001. This application further extends the expiration date of the two-year agreement for an additional one-year.

8. Public Service's gas tariff, currently on file with the Commission, will be used for service under this application.

9. Public Service has the financial ability and is qualified and competent to conduct the utility operations sought under its application.

10. The Commission finds that the application is in the public interest and should be granted.

**II. ORDER**

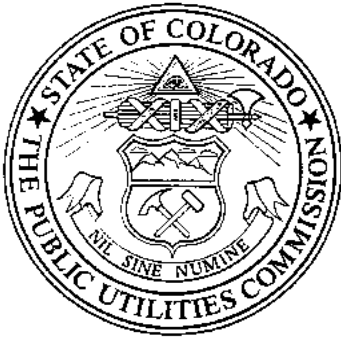
**A. The Commission Orders That:**

1. The application by Public Service Company of Colorado for a Certificate of Public Convenience and Necessity to exercise franchise rights in the Town of Lochbuie, Colorado is deemed complete and granted.

2. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
May 7, 2003.**

(SEAL)



ATTEST: A TRUE COPY

Bruce N. Smith  
Director

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

GREGORY E. SOPKIN

POLLY PAGE

JIM DYER

Commissioners

