

(Decision No. C94-844)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

THE PROPOSED RULES REGULATING)	
APPLICATIONS FILED IN ACCORDANCE)	DOCKET NO. 94R-153EG
WITH § 40-3-104.3, C.R.S., CON-)	
CERNING THE AUTHORITY OF THE)	ORDER ADOPTING RULES
PUBLIC UTILITIES COMMISSION TO)	AND VACATING STAY
FLEXIBLY REGULATE GAS, ELECTRIC,)	
OR STEAM UTILITIES, 4 CCR 723-10.)	

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Mailed Date: June 30, 1994
Adopted Date: June 22, 1994
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STATEMENT

BY THE COMMISSION:

On May 31, 1994, an Administrative Law Judge ("ALJ") for the Commission recommended adoption of certain rules concerning flexible regulation of gas, electric, or steam utilities pursuant to § 40-3-104.3, C.R.S. See Decision No. R94-607. We stayed the ALJ's decision in accordance with the provisions of § 40-6-109(2), C.R.S., in order to allow for Commission review of the recommended rules. See Decision No. C94-708. Now being duly advised in the matter, we find that the ALJ's recommendation should be accepted as the decision of the Commission. For the reasons stated in the recommended decision, we adopt the rules attached as Appendix A to Decision No. 94R-607.

The stay previously issued in Decision No. C94-708 is hereby vacated.

THEREFORE THE COMMISSION ORDERS THAT:

1. The previously issued stay of Decision No. R94-607 is hereby vacated, and the rules attached to that decision as Appendix A are now preliminarily adopted as the rules of the Commission pending the filing and ruling upon any applications for rehearing, reargument, or reconsideration. Absent further order, the rules shall be finally adopted at the time the Commission rules upon any applications for rehearing, reargument, or reconsideration which are filed in accordance with the provisions of § 40-6-114, C.R.S. If no requests for reconsideration are filed, the rules shall be finally adopted 20 days following the effective date of this Decision without further order of the Commission.

2. The 20-day period provided for by § 40-6-114(1), C.R.S., within which to file an application for rehearing, reargument, or reconsideration begins on the first day following the Mailed Date of this Decision.

This Order is effective on its Mailed Date.

ADOPTED IN OPEN MEETING June 22, 1994.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ROBERT J. HIX

VINCENT MAJKOWSKI

Commissioners

ATTEST: A TRUE COPY

Handwritten signature of Bruce N. Smith in cursive.

Bruce N. Smith
Director

COMMISSIONER CHRISTINE E. M. ALVAREZ
ABSENT.

TM:srs:153EG1