

Decision No. C03-0162

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 02M-534EG

IN THE MATTER OF THE FILING OF ANNUAL REPORTS IN ACCORDANCE WITH
RULE 4 CCR 723-1-25 BY UTILITIES HOLDING A CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY TO PROVIDE ENERGY AND WATER SERVICES IN
THE STATE OF COLORADO.

**ORDER OF THE COMMISSION FOR FILING
OF YEAR 2002 ANNUAL REPORTS BY ELECTRIC,
GAS, STEAM, AND WATER PROVIDERS**

Mailed Date: February 18, 2003

Adopted Date: February 12, 2003

I. BY THE COMMISSION

A. Statement

1. In accordance with Rule 25 of the Commission's Rules of Practice and Procedure, found at 4 *Code of Colorado Regulations* 723-1, each utility over which the Commission has jurisdiction, with the exception of transportation utilities regulated pursuant to Title 40, Articles, 10, 11, 13, and 16, is required to file an annual report on or before April 30 for the preceding calendar year. Rule 25 states that the annual report shall be submitted on forms prescribed by the Commission, and requires that regulated utilities file any additional reports specified by the Commission.

2. This order specifies the forms to be filed by energy and water utilities for the 2002 reporting year. These utilities shall submit the annual report in accordance with the requirements listed on Appendix A to this Order.

3. With the exception of cooperative electric associations subject to Article 9.5 of Title 40, C.R.S., all energy and water utilities must also submit a copy of the report of gross regulated intrastate operating revenues required by the Colorado Department of Revenue, Form DR 525. That form may be found on the Commission's website at www.dora.state.co.us/puc. Pursuant to Article 3.5 of Title 40, C.R.S., municipal utilities authorized to serve areas outside their municipal corporate limits need only report gross operating revenues relating to those areas.

B. Conclusion

4. The Commission finds that each utility holding a certificate of public convenience and necessity to provide electric, gas, steam, or water services in accordance with Title 40 of the Colorado Revised Statutes during calendar year 2002 shall file an annual report in the form prescribed here. Such reports shall be filed no later than April 30, 2003, in compliance with Rule 25 of the Commission's Rules of Practice and Procedure.

5. Each filing utility is required to identify the individual authorized to file on its behalf and designated as the Annual Report Contact. If no specific designation was made to the Commission, an officer of the utility will be considered as the Annual Report Contact for the purpose of this filing requirement. The Commission notes that, in accordance with § 40-7-106, C.R.S., every officer, agent, or employee of any public utility who violates or fails to comply with or who aids or abets any violation by any public utility of, among other things, any order, decision, or rule of this Commission, commits a class 2 misdemeanor and may be punished as provided in § 18-1.3-501, C.R.S.

6. A utility subject to the Order may file a motion for extension of time to file its annual report, which may be granted for a period not to exceed 30 days, if good cause is shown why it is unable to comply with the April 30, 2003, deadline. Such a motion for extension of time may not include submittal of the Form DR 525.

II. ORDER

A. The Commission Orders That:

1. On or before April 30, 2003, each utility holding a certificate of public convenience and necessity or a letter of registration to provide electric, gas, steam, or water service in Colorado during calendar year 2002 shall file an annual report in the form prescribed in this Order, and any additional reports as required by Appendix A to this Order.

2. Utilities must also submit a copy of the Colorado Department of Revenue Form DR 525 no later than April 30, 2003. Entities may not request an extension of time to file that report.

3. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
February 12, 2003.**

(S E A L)



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