

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

DOCKET NO. 03M-044E

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THE APPLICATION OF AQUILA, INC., DOING BUSINESS AS AQUILA NETWORKS-WPC,  
FOR A VARIANCE AND TEMPORARY WAIVER OF RULE 4 CCR 723-1-25(A)(1).

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**COMMISSION ORDER APPROVING THE  
PETITION FOR VARIANCE AND TEMPORARY WAIVER  
OF AVOIDED COST FILING REQUIREMENT**

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Mailed Date: February 13, 2003  
Adopted Date: February 12, 2003

**I. BY THE COMMISSION:**

**A. Statement**

1. On January 31, 2003, Aquila, Inc., doing business as Aquila Networks-WPC (Aquila), filed an application pursuant to 4 *Code of Colorado Regulations* (CCR) 723-1-59, of the Commission's Rules of Practice and Procedures, requesting a variance from the avoided cost information filing requirements of 4 CCR 723-19-3.301 and 3.302, including a temporary waiver for a 30-day extension of time, to and including March 3, 2003, to file the required avoided cost information.

2. Aquila is an electric utility operating pursuant to authority issued by the Commission within its authorized service territory in the State of Colorado. Aquila is regulated by the Commission with respect to its rates for services and facilities provided to its customers.

3. Certain information about Aquila's avoided costs in Colorado are due to be filed with the Commission on or before February 1, 2003. Aquila's reason for a request for an

extension of time is that the personnel responsible for preparing and filing the Colorado avoided cost filing are busily engaged in matters relating to the electric rate case Aquila now has pending before the Commission in Docket No. 02S-549E. The numerous activities associated with the rate case, particularly responding to Trial Staff audit and discovery requests and the discovery requests of interveners, have impaired the ability of Aquila to prepare and file the avoided cost information with the Commission for 2003.

**B. Findings of Fact**

4. This application complies with 4 CCR 723-1-59 for waiver of a Commission rule.

The application also meets the requirements for completeness.

**C. Conclusions**

5. Good cause exists for granting this request for variance, temporary waiver, and extension of time for filing the avoided cost information.

**II. ORDER**

**A. The Commission Orders That:**

1. The application by Aquila, Inc., doing business as Aquila Networks-WPC, for variance and temporary waiver of avoided cost filing requirement is deemed complete and is approved.

2. 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

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Commissioners

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