

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 02S-315EG

RE: THE INVESTIGATION AND SUSPENSION OF TARIFF SHEETS FILED BY PUBLIC SERVICE COMPANY OF COLORADO ADVICE LETTER NO. 1373 – ELECTRIC, ADVICE LETTER NO. 593 – GAS, AND ADVICE LETTER NO. 80 - STEAM.

**ORDER GRANTING MOTION FOR RELIEF, WAIVING
RESPONSE TIME, VACATING HEARINGS, AND
SETTING SCHEDULING CONFERENCE**

Mailed Date: March 25, 2003
Adopted Date: March 20, 2003

I. BY THE COMMISSION

A. Statement and Findings of Fact

1. On March 14, 2003, Public Service Company of Colorado (Public Service) filed its Unopposed Motion for Relief from a Portion of the Order Establishing New Procedural Schedule and for Waiver of Response Time. In a prior order in this docket, the Commission established two possible procedural schedules for this case. The first schedule assumes the parties reach a comprehensive settlement which necessitates only a few days of hearings to consider the proposed settlement. The second schedule assumes no settlement which would necessitate full evidentiary hearings on all issues raised in prefiled testimony. We directed that any stipulation between the parties be filed by March 17, 2003. To the extent some issue(s) cannot be resolved before a stipulation is filed on March 17, 2003, the parties would have until April 1, 2003 to continue negotiating on the open issue(s). If there is no resolution on the open issue(s), the Commission would proceed with the full evidentiary hearings, as discussed under the second schedule.

2. If a comprehensive stipulation is reached, hearings would commence on April 3, 2003 and continue for four days. If no comprehensive stipulation is reached, the hearings would commence on May 5, 2003 and continue for ten days under the full evidentiary procedural schedule.

3. In its motion, Public Service states that the parties will not be able to meet the March 17, 2003 deadline for filing a stipulation. Public Service further states that, due to the complexity of the issues, the parties will require more time, potentially up to and including April 1, 2003, to negotiate some remaining open issues and to memorialize any such agreements in a mutually acceptable settlement agreement.

4. We grant the motion under the conditions stated here. If a comprehensive stipulation were filed on April 1, 2003, there would not be adequate time for the Commission to review and analyze it prior to the start of hearings now scheduled for April 3, 2003. Because the parties have expended considerable time and effort in their negotiations, the two-week extension requested in the motion is warranted. However, in order to accommodate this schedule change, the hearings scheduled to begin on April 3, 2003 will be vacated. Furthermore, a new scheduling conference is required to set new hearings dates and a public comment date in the event a stipulation is filed on April 1, 2003.

II. ORDER

A. The Commission Orders That:

1. The Unopposed Motion for Relief from a Portion of the Order Establishing New Procedural Schedule and for Waiver of Response Time filed by Public Service Company of Colorado on March 14, 2003 is granted.

2. The hearings set for April 3, 4, 7, and 8, 2003 are vacated.

3. A scheduling conference will commence on:

DATE: April 3, 2003

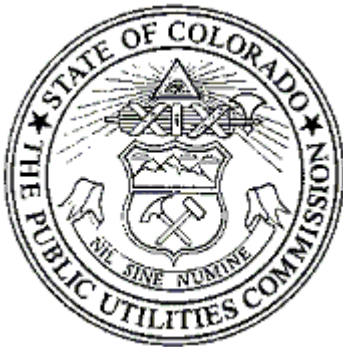
TIME: 9:00 a.m.

PLACE: Commission Hearing Room A
1580 Logan Street, OL2
Denver, Colorado

4. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
March 20, 2003.**

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

GREGORY E. SOPKIN

JIM DYER

Commissioners

ATTEST: A TRUE COPY

COMMISSIONER POLLY PAGE ABSENT.

Bruce N. Smith
Director