

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 03I-134E (Incorrectly referred to as 03I-134EG)

IN THE MATTER OF THE EARNINGS TEST FOR PUBLIC SERVICE COMPANY OF
COLORADO FOR CALENDAR YEAR 2002.

**ORDER OPENING DOCKET AND
GRANTING EXTENSION OF TIME
TO FILE EARNINGS TEST REPORT**

Mailed Date: April 7, 2003
Adopted Date: April 2, 2003

I. BY THE COMMISSION

A. Statement

1. In Decision No. C96-1235, Docket No. 95A-531EG, the Commission approved Public Service Company of Colorado's (Public Service) application to merge with Southwestern Public Service Company. Among other things, the Commission's decision instituted a performance-based regulatory plan for Public Service with an annual earnings sharing mechanism. The Commission's decision in Docket No. 95A-531EG requires Public Service to file an earnings test report by April 1 of each year. Pursuant to the decision in Docket No. 95A-531EG, Public Service was required to file a report on April 1, 2003 describing its earnings for 2002. Commission Staff (Staff) is required to investigate Public Service's earnings report and file the results of its investigation by May 15, 2003.

2. On March 25, 2003, Public Service filed, in Docket No. 95A-531EG, its Motion for a One-Month Extension of Time to File Its Annual Earnings Test and for Shortened Response Time. The Motion explains that Public Service is unable to file its earnings report by April 1, 2002.

3. Now being duly advised, we open this docket for the purpose of addressing the 2002 earnings report to be filed by Public Service and all related matters. Good cause having been stated, the motion for a one-month extension of time to file the annual earnings test report is granted. Public Service shall file its 2002 earnings test report in the instant docket (instead of Docket No. 95A-531EG). The results of Staff's investigation on the 2002 earnings report and all further pleadings and documents relating to Public Service's 2002 earnings test report shall be filed in this docket.

II. ORDER

A. The Commission Orders That:

1. This docket is opened for the purpose of addressing the 2002 earnings test report to be filed by Public Service Company of Colorado and all related matters consistent with the above discussion.

2. The Motion for a One-Month Extension of Time to File Its Annual Earnings Test and for Shortened Response Time by Public Service Company of Colorado is granted. Response time to the motion for extension of time is waived. Public Service Company of Colorado shall file its 2002 Earnings Test Report by May 1, 2003. Commission Staff shall file its response to the earnings report by June 16, 2003.

3. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
April 2, 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