

Decision No. C03-0431

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 UNOPPOSED MOTION
AND SETTING FORTH HEARING DATES**

Mailed Date: April 23, 2003

Adopted Date: April 9, 2003

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for an Unopposed Motion for Leave to File Comprehensive Settlement Agreement on or Before April 4, 2003, filed by Public Service Company of Colorado (PSCo) on April 2, 2003. In its motion, PSCo requests leave to file the comprehensive settlement stipulation entered into among PSCo and the intervenors to this matter (collectively the Parties), no later than April 4, 2003.

2. In Decision No. C03-0247, issued March 25, 2003, we granted PSCo's Motion for Relief in order to file the settlement stipulation on or before April 1, 2003. However, according to PSCo in the motion here, although the Parties have worked diligently to address and resolve all issues raised in this proceeding, additional time up to and including April 4, 2003 is needed to finalize the settlement agreement, coordinate signatures, and file it with the Commission. PSCo further represents that the current version of the draft settlement agreement will be distributed to all parties in this case for final review on or before the morning of April 3, 2003.

3. PSCo indicates that Commission Staff and the Office of Consumer Counsel have reviewed and support the motion. PSCo additionally represents that granting this motion will prejudice no party.

4. We find good cause exists to grant the Motion for Leave to File Comprehensive Settlement Agreement on or Before April 4, 2003. We point out that this matter was addressed at the Pre-hearing Conference held in this matter on April 3, 2003. However, we inadvertently failed to render an oral decision at that time. We will also take the opportunity here to reiterate the hearing schedule on the settlement stipulation agreed to by the parties present at the Pre-hearing Conference on April 3, 2003.

5. Hearings on the settlement stipulation will be held on April 28, 29, 30, 2003 and May 1, 2003 if necessary. Hearings will begin at 9:00 a.m. If it is necessary to hold a hearing on May 1, 2003, that hearing will begin at 10:00 a.m. A public hearing on the settlement stipulation will be held on April 28, 2003 from 4:00 p.m. to 7:00 p.m. Because the Commission has scheduled an *en banc* hearing in another matter beginning at 1:30 p.m. on April 30, 2003, should hearings on this matter extend to April 30, 2003, any hearing scheduled for that date must conclude no later than 12:30 p.m.

II. ORDER

A. The Commission Orders That:

1. The Unopposed Motion of Public Service Company of Colorado for Leave to File Comprehensive Settlement Agreement on or Before April 4, 2003, is granted.

2. Response time to the Motion is waived.

3. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
April 9, 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