

Decision No. C03-1226

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

DOCKET NO. 03M-458G

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IN THE MATTER OF THE APPLICATION OF EASTERN COLORADO UTILITY COMPANY  
FOR A ONE TIME WAIVER OF THE COMMISSION'S GAS COST ADJUSTMENT RULES.

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**ORDER GRANTING EASTERN COLORADO UTILITY  
COMPANY'S APPLICATION FOR VARIANCE**

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Mailed Date: October 30, 2003  
Adopted Date: October 29, 2003

**I. BY THE COMMISSION**

**A. Statement**

1. On October 17, 2003, Eastern Colorado Utility Company (Eastern) filed its application for waiver of Rule 4 *Code of Colorado Regulations* (CCR) 723-8-2.2 of the Commission's Gas Cost Adjustment Rules. Eastern, in its application, seeks a waiver pursuant to Commission Rule 4 CCR 723-8-11, of the requirement that Eastern file its annual Gas Cost Adjustment (GCA) Application (Application) no later than two weeks in advance of a proposed November 1, 2003 effective date.

2. In Decision No. C03-1006, the Commission approved an application of Eastern for an out-of-period adjustment to its GCA rate, effective September 25, 2003. Eastern stated in its Application, that it would forgo a further adjustment in its GCA rate from that granted in Decision No. C03-1006.

3. Eastern's Application shows that the requirement to file an application for an identical rate is unwarranted and that a waiver should be granted. A waiver of the Rules in regard

to Eastern's GCA will reduce the economic burden of regulation and will serve the public interest.

4. We find that good cause has been stated for the requested waiver, and will grant the Application.

## **II. ORDER**

### **A. The Commission Orders That:**

1. The Application filed by Eastern Colorado Utility Company for a waiver of Rule 4 *Code of Colorado Regulations* 723-8-2.2 of the Commission's Gas Cost Adjustment Rules is granted.

2. Eastern Colorado Utility Company shall not be required to file a 2003 annual Gas Cost Adjustment Application to be effective November 1, 2003.

3. The Commission will waive response time to the motion.

4. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
October 29, 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