

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 03S-504G

RE: THE INVESTIGATION AND SUSPENSION OF TARIFF SHEETS FILED BY KINDER MORGAN, INC.--ADVICE LETTER NO. 202.

**ORDER SUSPENDING EFFECTIVE DATE
OF TARIFFS AND NOTICE OF HEARING**

Mailed Date: November 26, 2003
Adopted Date: November 19, 2003

IMPORTANT NOTICE: ANY PERSON DESIRING TO PARTICIPATE ONLY BY MAKING A STATEMENT MAY DO SO BY APPEARING AT THE HEARING. IF YOU DESIRE TO ASK QUESTIONS OF A WITNESS OR OTHERWISE PARTICIPATE AS A PARTY IN THIS RATE MATTER, YOU MUST REQUEST PERMISSION FROM THE COMMISSION TO BE AN INTERVENOR (EVEN IF YOU HAVE ALREADY FILED AN OBJECTION). ANYONE DESIRING TO INTERVENE MUST CAREFULLY FOLLOW THE LAW AND COMMISSION RULES FOR BECOMING AN INTERVENOR. FOR FURTHER INFORMATION ON HOW TO INTERVENE CALL (303) 894-2070 (PUC EXTERNAL AFFAIRS OFFICE).

I. BY THE COMMISSION

A. Statement

1. On October 15, 2003, Kinder Morgan, Inc. (KMI), filed Advice Letter No. 202 (attached as Exhibit 1).

2. KMI stated that the purpose of this filing is to add a "WinterGuard Billing Option," which pertains to KMI's customers located in its North Eastern, North Central, and Western Slope rate areas. KMI requested that the tariffs accompanying Advice Letter No. 202 become effective on 30 days' statutory notice or, in this instance, on December 1, 2003.

3. Under § 40-6-111(1), C.R.S., the Commission may, in its discretion, set the tariffs for hearing which will suspend their effective date for 120 days. Section 40-6-111(1), C.R.S.,

also provides that the Commission may, in its discretion, by separate order, suspend the effective date of the tariffs for an additional 90 days. Thus, the Commission has the power and authority to suspend the effective date of the tariffs for a maximum of 210 days or, in this docket, until June 28, 2004. If the Commission does not establish new rates before the expiration of the first suspension period of 120 days, or March 30, 2004, the tariffs filed by KMI will become effective by operation of law. If the Commission further suspends, by separate order, the effective date of the tariffs for an additional 90 days, and if no new rates are established by the Commission on or before June 28, 2004, the tariffs filed by KMI will become effective by operation of law.

B. Findings of Fact

4. The Commission will set the proposed tariffs for hearing and will suspend their effective date because the rates contained in the tariffs may be improper.

5. A pleading to intervene may be filed by any person, firm, or corporation desiring to be a party and fully participate in this proceeding as ordered below. The filing of any other document protesting the tariffs shall not allow participation as an intervenor in this matter.

II. ORDER

A. The Commission Orders That:

1. The effective date of the tariffs filed by Kinder Morgan, Inc., on October 15, 2003, with Advice Letter No. 202, is suspended for 120 days until March 30, 2004, or until further order of the Commission.

2. The tariffs filed by Kinder Morgan, Inc., with Advice Letter No. 202, will be set for hearing before the Commission. A prehearing conference is set in this matter as follows::

DATE: December 1, 2003
TIME: 1:30 p.m.
PLACE: Commission Hearing Room
1580 Logan Street, Office Level 2
Denver, Colorado

3. Any person, firm, or corporation, including any who have previously filed a document protesting the proposed tariffs, who desire to intervene and participate as a party in this proceeding shall file a motion to intervene with the Commission within 30 days after the mailing date of this Decision, and shall serve a copy of the motion on Kinder Morgan, Inc.'s attorney of record.

4. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
November 19, 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