

Decision No. C03-1366

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 01F-071G

HOME BUILDERS ASSOCIATION OF METROPOLITAN DENVER,

COMPLAINANT,

V.

PUBLIC SERVICE COMPANY OF COLORADO,

RESPONDENT.

ORDER GRANTING REQUEST FOR CLARIFICATION

Mailed Date: December 5, 2003
Adopted Date: December 3, 2003

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of a request for clarification of Decision No. C03-1292, filed by Public Service Company of Colorado (Public Service) on November 26, 2003. Public Service seeks clarification that the deadline for it to submit its reparations plan and estimate of total reparations be extended until 30 days after Home Builders Association of Metropolitan Denver (HBA) submits its supplemented list of affected members.

2. Now, being duly advised in the matter, we grant Public Service's request for clarification.

3. In Decision No. C03-1093, issued September 25, 2003, we ordered Public Service to pay reparations to HBA's affected residential construction members. To facilitate that process,

we ordered HBA to provide Public Service with an affidavit containing a list of affected members and a description of service extension locations for each member during the time period in which we awarded reparations. HBA was to file this list no later than October 25, 2003. However, we subsequently granted it an extension of time to November 7, 2003 to submit its affidavit. HBA did submit its list of affected members on November 7, 2003.

4. As part of Decision No. C03-1093, we ordered Public Service, within 30 days of its receipt of HBA's affidavit and list, to submit its plan for providing reparations. However, in Decision No. C03-1292, we supplemented the HBA members who may receive reparations to include those members engaging in small industrial and commercial construction during the relevant time period. We also provided that HBA had three weeks from the effective date of that order in which to provide Public Service with the additional membership names.

5. We now clarify Decision No. C03-1292 to specify that Public Service's deadline for submitting its reparation plan is extended until 30 days after HBA submits its supplemental list of affected small industrial and commercial members.

II. ORDER

A. The Commission Orders That:

1. The request by Public Service Company of Colorado for clarification of Decision No. C03-1292 is granted consistent with the discussion above.

2. Public Service Company of Colorado shall submit its reparation plan and estimate of total reparations no later than 30 days after Home Builders Association of Metropolitan Denver files its supplemental list of affected small industrial and commercial members pursuant to Decision No. C03-1292.

3. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
December 3, 2003.**

(SEAL)



ATTEST: A TRUE COPY

Bruce N. Smith
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

POLLY PAGE

JIM DYER

Commissioners

CHAIRMAN GREGORY E. SOPKIN
RECUSED HIMSELF.