

Decision No. R03-0076-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 02R-173W

IN THE MATTER OF THE PROPOSED REPEAL AND REENACTMENT OF THE RULES
REGULATING WATER UTILITIES, 4 CCR 723-5.

**INTERIM ORDER OF
ADMINISTRATIVE LAW JUDGE
DALE E. ISLEY
SETTING ADDITIONAL HEARING DATE**

Mailed Date: January 22, 2003

I. STATEMENT

1. This rulemaking proceeding was instituted by the Colorado Public Utilities Commission (Commission) pursuant to a Notice of Proposed Rulemaking (NOPR) adopted on March 13, 2002, in Decision No. C02-312. It involves the proposed repeal and reenactment of the Rules Regulating Water Utilities (Water Rules) at 4 *Code of Colorado Regulations* 723-5.

2. The NOPR set this matter for hearing on August 1, 2002, and the matter was called for hearing on that date. At the request of the Staff of the Commission (Staff) an additional day of hearing was scheduled on November 7, 2002. *See*, Decision No. R02-836-I. The matter was called for hearing on that date and at that time Staff requested that an additional day of hearing be scheduled in January 2003. By Decision No. R02-1263-I an additional day of hearing was scheduled on January 21, 2003.

3. The matter was called for hearing by the undersigned on January 21, 2003, at the assigned time and place. Mr. Dino Ioannides entered his appearance on behalf of Staff. No other person attended or entered an appearance at the hearing.

4. Mr. Ioannides explained Staff's desire to implement Water Rules that, to the extent possible, are consistent with changes to other Commission rules that are the subject of other, pending rulemaking proceedings. *See*, for example, Docket Nos. 02R-279E and 02R-196G. He indicated that these proceedings are ongoing and, as a result, certain core issues common to all such proceedings, including this proceeding, have not yet been resolved. For this reason, Staff requested that an additional day of hearing be scheduled in this matter.

5. In the NOPR, the Commission recognized that scheduling additional hearing days in this matter might be advisable in order to coordinate this rulemaking proceeding with other similar proceedings. *See*, Decision No. C02-312, Section I, Paragraph 6 and Section II, Paragraph 2. Accordingly, Staff's request will be granted and an additional day of hearing will be scheduled for April 8, 2003.

II. ORDER

A. It Is Ordered That:

1. An additional day of hearing in this matter is scheduled as follows:

DATE: April 8, 2003
TIME: 10:00 a.m.
PLACE: Commission Hearing Room
1580 Logan Street, OL2
Denver, Colorado

2. Interested persons may file written comments in advance of the hearing or submit oral comments at the hearing. It is requested that any written comments be submitted on or before March 28, 2003.

3. This Order shall be effective immediately.

(S E A L)



ATTEST: A TRUE COPY

Bruce N. Smith
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

DALE E. ISLEY

Administrative Law Judge

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