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. <u>STATEMENT</u>

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.

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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

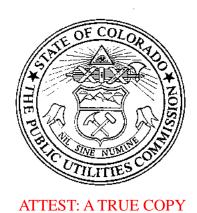
oral comments at the hearing. It is requested that any written comments be submitted on or

before March 28, 2003.

3. This Order shall be effective immediately.

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(SEAL)



Brue 2. Suite

Bruce N. Smith Director

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DALE E. ISLEY

Administrative Law Judge