

Decision No. C04-0028

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 03A-489EG

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF
COLORADO FOR APPROVAL OF ITS 2003-2004 GAS PRICE VOLATILITY MITIGATION
PLAN.

ORDER SETTING PREHEARING CONFERENCE

Mailed Date: January 8, 2004
Adopted Date: January 7, 2004

I. BY THE COMMISSION

A. Statement

1. On November 7, 2003, Public Service Company of Colorado (Public Service) filed an application for approval of its 2003-2004 Gas Price Volatility Mitigation Plan for its electric department. Public Service states that it filed this application pursuant to a requirement in the April 4, 2003 settlement agreement approved by the Commission in Docket No. 02S-315EG by Decision No. C03-0670.

2. Staff of the Commission (Staff) timely filed its notice of intervention on December 31, 2003. Staff raises a number of concerns about proposals in the application and requests that the Commission set the matter for hearing.

3. On January 5, 2004, the Colorado Office of Consumer Counsel (OCC) filed an untimely motion to intervene, and requested a waiver of response time to the motion. The OCC states that it initially determined that it would not intervene in the matter, but upon further consideration it wishes to participate, given its involvement in other dockets where similar issues

are addressed. Further, the OCC indicates that according to its initial review of the application its concerns are consistent with those raised by Staff.

4. Good cause having been stated, we grant the OCC's motion for intervention.

5. We find that hearings should be held on the application, and a prehearing conference date should be set.

II. ORDER

A. The Commission Orders That:

1. The application filed by Public Service Company of Colorado in Docket No. 03A-489G will be set for hearing before the Commission. A prehearing conference is set in this matter as follows:

DATE: January 21, 2004

TIME: 1:30 p.m.

PLACE: Commission Hearing Room
1580 Logan Street, Office Level 2
Denver, Colorado

2. The motion for intervention by the Colorado Office of Consumer Counsel is granted, and response time is waived.

3. This Order is effective on its Mailed Date.

- B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
January 7, 2004.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners