

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04M-114E

REGARDING THE FILING OF ENVIRONMENTAL REPORTS IN CONNECTION WITH
PUBLIC SERVICE COMPANY OF COLORADO'S AIR QUALITY IMPROVEMENT RIDER.

ORDER OPENING DOCKET

Mailed Date: March 18, 2004
Adopted Date: March 17, 2004

I. BY THE COMMISSION

A. Statement

1. By Decision No. R99-678 in Docket No. 98A-511E, the Commission approved a Stipulation and Settlement Agreement with respect to Public Service Company of Colorado's (Public Service) Air Quality Improvement Rider (AQIR). Section 10 of the Agreement concerns the treatment of reports made by Public Service to the Colorado Department of Public Health and Environment (CDPHE) and provides as follows:

Filing of environmental reports with the Commission. The Company shall file with the Commission a copy of all reports that it is required to file with CDPHE under the Voluntary Agreement. The Company shall also file with the Commission any notices of violation issued by the CDPHE under the Voluntary Agreement and all public documents resolving such alleged violation. The Parties request the Commission to open a miscellaneous docket to receive these reports so that they are readily available for public review.

2. The AQIR is a mechanism approved by the Commission to recover the air quality improvement costs that Public Service incurs to voluntarily reduce air emissions from three of its Denver/Boulder metro area power plants, namely the Cherokee, Arapahoe, and Valmont generating stations. Recovery of these costs by Public Service was established by S.B. 98-142,

enacted by the 1998 Colorado General Assembly, which added Article 3.2 to Title 40 of the Colorado Revised Statutes.

3. On March 2, 2004, Public Service filed with the Commission a copy of the Annual Denver Voluntary Emission Reduction Agreement Emissions Report (Emission Reductions Agreement) that it filed with the CDPHE on February 27, 2004.

4. Consistent with the Stipulation and Settlement in Docket No. 98A-511E, the Commission finds that it is administratively efficient to open this miscellaneous docket to receive the current Emission Reductions Agreement and receive these reports in the future.

II. ORDER

A. The Commission Orders That:

1. This miscellaneous docket is opened for the above-stated and related purposes.
2. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
March 17, 2004.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners