

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04A-050E

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF
COLORADO FOR A REVIEW OF ITS ELECTRIC COMMODITY TRADING OPERATIONS.

ORDER SETTING PREHEARING CONFERENCE

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

I. BY THE COMMISSION

A. Statement and Findings

1. This matter comes before the Commission for consideration of the application filed by Public Service Company of Colorado (Public Service or Company) on January 30, 2004 for Commission review of its electric commodity trading operations. This application was filed pursuant to the Company's Phase I Rate Case Settlement (RCS) in Docket No. 02S-315EG.

2. At the Commissioners' Weekly Meeting on March 17, 2004, the Commission deemed the application complete. In the application, Public Service proposes to change three aspects of its electric commodity trading: changes to its Trading Rules (Attachment J to the RCS), removal of those provisions in a footnote in the 2000 Trading Stipulation (Attachment H to the RCS), and adoption of a new method for sharing net trading gains. Under the RCS, if the Commission modifies the regulatory treatment of Public Service's electric commodity trading in a way which is unacceptable to the Company, it retains the right to cease its trading operations and change its energy cost recovery mechanism to a 100 percent pass-through.

3. Holy Cross Energy, the Colorado Office of Consumer Counsel, and Staff of the Colorado Public Utilities Commission have now intervened in this matter.

B. Conclusions

4. Based on the interventions filed in this docket and the significant regulatory policies associated with the Company's electric commodity trading operations, the Commission will set the application for hearing. The Commission will hear the case *en banc*.

5. A prehearing conference will be held at the date and time specified below. The prehearing conference will deal with pending motions; discovery; the establishment of a procedural schedule, including dates for prefiling of testimony and hearing dates; and any related matters. Prior to the prehearing conference, the parties shall attempt to develop a mutually agreeable procedural schedule.

II. ORDER

A. The Commission Orders That:

1. A prehearing conference shall be held as follows:

DATE:	March 31, 2004
TIME:	1:30 pm
PLACE:	Colorado Public Utilities Commission Commission Hearing Room Logan Tower 1580 Logan Street, OL2 Denver, Colorado

2. Prior to the prehearing conference, the parties shall attempt to develop a mutually agreeable procedural schedule.

3. 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