

Decision No. C04-0660

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 03S-539E

RE: THE INVESTIGATION AND SUSPENSION OF TARIFF SHEETS FILED BY AQUILA, INC., DOING BUSINESS AS AQUILA NETWORKS-WPC, WITH ADVICE NO. 586.

**ORDER FURTHER SUSPENDING
EFFECTIVE DATE OF TARIFFS**

Mailed Date: June 18, 2004
Adopted Date: June 16, 2004

I. BY THE COMMISSION

A. Statement

1. By Ordering Paragraph No. 1 in Decision No. C03-1423, the effective date of the tariff sheets filed by Aquila Networks – WPC (Aquila) on December 1, 2003 under its Advice Letter No. 586 was suspended for 120 days, until April 30, 2004. By Decision No. C04-0382 the effective date of the tariff sheets was suspended an additional 90 days, until July 29, 2004, pursuant to § 40-6-111(1)(b), C.R.S. Further, in that decision we advised Aquila that it may be necessary to file an amendment to its Advice Letter No. 586 to change the effective dates of its proposed tariffs to allow the Commission to issue a decision in this matter by September 3, 2004 without exceeding the 210-day suspension period for the tariffs.¹

2. On June 8, 2004, Aquila filed an amendment to Advice Letter No. 586 changing the effective date of the tariffs to allow a decision to be issued later than July 29, 2004.

¹ At the prehearing conference Aquila represented that it would accept a waiver by the Commission of the statutory timeframe required in this proceeding if the Commission agreed to issue a decision by September 3, 2004.

B. Findings of Fact

3. The Commission has agreed to issue a decision in this matter by September 3, 2004 (*see* Decision No. C04-0176). We now further suspend the effective date of these tariffs until September 3, 2004.

II. ORDER**A. The Commission Orders That:**

1. The effective date of the tariff sheets filed by Aquila, Inc., doing business as Aquila Networks – WPC, on December 1, 2003 under its Advice Letter No. 586, as modified by Amended Advice Letter No. 586, filed June 8, 2004 is further suspended until September 3, 2004.

2. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
June 16, 2004.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER POLLY PAGE
ABSENT.