

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 03I-134E

IN THE MATTER OF THE EARNINGS TEST FOR PUBLIC SERVICE COMPANY OF
COLORADO FOR CALENDAR YEAR 2002.

**ORDER GRANTING UNOPPOSED MOTION
FOR AN AMENDMENT TO THE PROCEDURAL
SCHEDULE AND WAIVING RESPONSE TIME**

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

I. BY THE COMMISSION

A. Statement

1. On November 9, 2004, Staff of the Commission (Staff) filed an unopposed motion requesting an amendment to the procedural schedule and request for waiver of response time because the parties have reached a settlement in principle.

2. Under the current procedural schedule, rebuttal testimony was due on November 10, 2004 and hearings are set for December 15 and 16, 2004. Within the motion Staff explains that the parties need additional time to reduce their settlement to writing. They propose to file any settlement on December 8, 2004 and retain the current hearing dates should the Commission wish to conduct a hearing on the settlement. In the event that the parties cannot reach settlement, they agree to reapply to the Commission for revised dates within which to file rebuttal testimony and to further amend the procedural schedule.

3. Now being duly advised in the matter, the Commission finds good cause has been stated and will grant the motion.

II. ORDER

A. The Commission Orders That:

1. The unopposed motion for an amendment to the procedural schedule and waiving response time filed by Staff of the Commission is granted.

2. The Commission waives response time to the motion.

3. This Order is effective upon its Mailed Date.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners