

Decision No. C04-1428

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04A-214E

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF
COLORADO FOR APPROVAL OF ITS 2003 LEAST-COST RESOURCE PLAN.

DOCKET NO. 04A-215E

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF
COLORADO FOR AN ORDER APPROVING A REGULATORY PLAN TO SUPPORT
THE COMPANY'S 2003 LEAST-COST RESOURCE PLAN.

DOCKET NO. 04A-216E

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF
COLORADO FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
FOR THE COMANCHE UNIT 3 GENERATION FACILITY.

**ORDER SETTING CONTINGENT
PUBLIC SETTLEMENT HEARING**

Mailed Date: December 3, 2004
Adopted Date: December 3, 2004

I. BY THE COMMISSION

A. Statement, Findings, and Conclusion

1. Upon the Commission's own motion, it is considering setting a public hearing to receive comments from members of the public in the event a settlement is reached in this case. By Decision No. C04-1409, the Commission established hearing dates of December 8 and 9, 2004. That decision provided two possible tracks for the continuation of the hearings depending on whether a settlement was reached. On December 1, 2004, Public Service Company of

Colorado (Public Service) filed a status report regarding the settlement negotiations. In that report, Public Service indicated that a settlement agreement could possibly be filed on December 3, 2004. Based on that representation, the Commission finds that a public hearing should be held if a settlement is reached.

II. ORDER

A. The Commission Orders That:

1. In the event a settlement is reached, a public hearing on the settlement agreement shall be conducted as follows:

DATE: December 8, 2004
TIME: 4:00 p.m.
PLACE: Commission Hearing Room
1580 Logan Street, OL2
Denver, Colorado

2. This Order is effective upon its Mailed Date.

**B. ADOPTED AT A SPECIAL OPENING MEETING
December 3, 2004.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER POLLY PAGE
ABSENT.