

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO**

DOCKET NO. 04A-113G

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IN THE MATTER OF THE JOINT APPLICATION OF KINDER MORGAN, INC., AND ROCKY MOUNTAIN NATURAL GAS COMPANY FOR AN ORDER GRANTING APPROVALS AND EXCLUSIVE CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY AUTHORIZING: (1) KINDER MORGAN, INC., TO CONSTRUCT AND OPERATE NATURAL GAS DISTRIBUTION FACILITIES AND TO PROVIDE NATURAL GAS SERVICES IN ACCORDANCE WITH ITS APPLICABLE TARIFF WITHIN A PROPOSED GEOGRAPHIC SERVICE TERRITORY IN AND AROUND THE TOWN OF WHITEWATER IN MESA COUNTY, COLORADO, AND (2) ROCKY MOUNTAIN NATURAL GAS COMPANY TO CONSTRUCT AND OPERATE NATURAL GAS FACILITIES AND TO ADD TWO ADDITIONAL WHOLESALE NATURAL GAS SERVICE DELIVERY POINTS TO KINDER MORGAN, INC., IN ORDER TO SERVICE KINDER MORGAN'S GAS SUPPLY REQUIREMENTS FOR ITS PROPOSED WHITEWATER SERVICE TERRITORY IN MESA COUNTY, COLORADO, IN ACCORDANCE WITH ROCKY MOUNTAIN'S APPLICABLE TARIFF.

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**INTERIM ORDER OF  
ADMINISTRATIVE LAW JUDGE  
MANA L. JENNINGS-FADER  
GRANTING UNOPPOSED MOTION,  
ENLARGING TIME FOR FILING,  
AND WAIVING RESPONSE TIME**

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Mailed Date: September 27, 2004

**I. STATEMENT**

1. On March 12, 2004, Rocky Mountain Natural Gas Company and Kinder Morgan, Inc., filed the Verified Joint Application (Application) which commenced this proceeding. The Commission gave public notice of the Application. Public Service Company of Colorado (PSCo) and Staff of the Commission intervened.

2. Hearing in this matter has been held, and each party has filed a post-hearing statement of position. Pursuant to the procedural schedule established in this proceeding, each

party was to file its response to the post-hearing statements of position of the other parties on or before September 24, 2004.

3. On September 24, 2004, PSCo filed an Unopposed Motion for Enlargement of Time to File Reply Brief (Motion). In that filing PSCo states that press of business prevented it from meeting the established filing date, that no party opposes the Motion, and that all parties should be granted a one business day enlargement of time within which to file the responses.

4. The Administrative Law Judge finds that the Motion states good cause, that granting the Motion will not prejudice any party, and that the Motion should be granted. The Motion will be granted, and each party will be granted an enlargement of time, to and including September 27, 2004, within which to file its response to the post-hearing statements of position filed by other parties in this matter.

5. Because no party opposes the Motion, and in view of the need for prompt action on the Motion, response time to the Motion will be waived.

## **II. ORDER**

### **A. It Is Ordered That:**

1. The Unopposed Motion of Public Service Company of Colorado for Enlargement of Time to File Reply Brief is granted.

2. Each party shall file, on or before September 27, 2004, its response to the post-hearing statements of position filed by the other parties.

3. Response time to the Unopposed Motion of Public Service Company of Colorado for Enlargement of Time to File Reply Brief is waived.

4. This Order is effective immediately.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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Administrative Law Judge

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