

Decision No. R04-1234-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 03R-519E

IN THE MATTER OF THE PROPOSED REPEAL AND REENACTMENT OF ALL RULES
REGULATING ELECTRIC AND STEAM UTILITIES, AS FOUND IN 4 CCR 723-3, 10, 19,
AND 32.

**INTERIM ORDER OF
ADMINISTRATIVE LAW JUDGE
MANA L. JENNINGS-FADER
ESTABLISHING PROCEDURAL SCHEDULE
AND SCHEDULING ADDITIONAL HEARING**

Mailed Date: October 20, 2004

I. STATEMENT

1. On December 15, 2003, the Public Utilities Commission issued the Notice of Proposed Rulemaking which commenced this docket. See Decision No. C03-1370.

2. The undersigned Administrative Law Judge (ALJ) has held numerous days of hearing on the proposed rules. Participants have filed written initial, response, and supplemental comments and have made oral presentations.

3. At the last hearings held in this matter on October 12 and 13, 2004, the ALJ established a procedural schedule and scheduled an additional hearing date. This Order sets out the established schedule and hearing date.

4. *Procedural schedule:* On or before **March 4, 2005**, anyone who wishes to do so may file written corrections and clarifications to previous comments and may file additional -- and final -- comments on the proposed rules or on the comments of any other participant. These final written comments, taken in conjunction with any previously-filed written statements and

suggested language changes, should be a complete presentation of the submitter's views on the proposed rules.

5. In view of the previous, numerous, and generous opportunities to provide written comment in this proceeding, the **participants and the public are advised that, absent further Order based on a finding that extraordinary circumstances exist, the Commission will not consider written comments received after March 4, 2005.**

6. *Additional hearing date and procedure at hearing:* The next hearing in this rulemaking proceeding will be held on **March 17, 2005**. In view of the informal workshops which preceded initiation of this proceeding and the extensive hearings held in this proceeding, the ALJ deems it unnecessary to afford interested persons the opportunity to make oral presentations at the hearing. See § 24-4-103(4)(a), C.R.S. Consequently, the **participants and the public are advised that, absent further Order based on a finding that extraordinary circumstances exist, no person will be permitted to make an oral presentation at the scheduled hearing.**

7. Each person who makes a filing in this matter is requested to serve a copy of that filing on all participants in this rulemaking.

II. ORDER

A. It Is Ordered That:

1. The procedural schedule set out above is adopted.

2. Additional hearing shall be conducted in this matter at the following date, time, and place:

DATE: March 17, 2005
TIME: 9:00 a.m.
PLACE: Commission Hearing Room
1580 Logan Street, OL-2
Denver, Colorado

3. Absent further Order based on a finding that extraordinary circumstances exist, the Commission will not consider written comments received after March 4, 2005.

4. Absent further Order based on a finding that extraordinary circumstances exist, no person will be permitted to make an oral presentation at the scheduled hearing.

5. The participants shall follow the procedures and shall make the filings set out above.

6. This Order is effective immediately.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Administrative Law Judge