

- (gg) "Third-party" means a person who is not the customer, an agent of the customer who has been designated by the customer with the utility and is acting of the customer's behalf, a regulated utility serving the customer, or a contracted agent, of the utility.
- (hh) "Transmission facilities" are those lines and related substations designed and operating at voltage levels above the utility's voltages for distribution facilities , including but not limited to related substation facilities such as transformers, capacitor banks, or breakers that are integral to the circuitry of the utility's transmission system.
- (ii) "Unique identifier" means a customer's name, mailing address, telephone number, or email address that is displayed on a bill.
- (jj) "Unregulated charges" means charges that are billed by a utility to a customer and that are not regulated or approved by the Commission, are not contained in a tariff filed with the Commission, and are for service or merchandise not required as a condition of receiving regulated utility service.
- (kk) "Utility" means any public utility as defined in § 40-1-103, C.R.S., providing electric, steam, or associated services in the state of Colorado.
- (ll) "Utility service" or "service" means a service offering of a utility, which service offering is regulated by the Commission.
- (mm) "Whole building data" means the sum of the monthly electric use for either all meters at a building on a parcel or real property or all buildings on a parcel of real property.

### **3002. Applications.**

- (a) Any person may seek Commission action regarding any of the following matters through the filing of an appropriate application to request a(n):
  - (I) issuance or extension of a certificate of public convenience and necessity for a franchise, as provided in rule 3100;
  - (II) issuance or extension of a certificate of public convenience and necessity for service territory, as provided in rule 3101;
  - (III) issuance of a certificate of public convenience and necessity for construction of facilities, as provided in rule 3102;
  - (IV) amendment of a certificate of public convenience and necessity in order to change, extend, curtail, abandon, or discontinue any service or facility, as provided in rule 3103;
  - (V) transfer of a certificate of public convenience and necessity, to obtain a controlling interest in any utility, to transfer assets within the jurisdiction of the Commission or stock, or to merge a utility with another entity, as provided in rule 3104;
  - (VI) issuance, or assumption of any financial security or to create a lien pursuant to § 40-1-104, as provided in rule 3105;

- (VII) flexible regulatory treatment to provide service without reference to tariffs, as provided in rule 3106;
  - (VIII) approval of an air quality improvement program, as provided for in rule 3107;
  - (IX) amendment of a tariff on less than statutory notice, as provided in rule 3109;
  - (X) variance of voltage standards, as provided in rule 3202;
  - (XI) approval of meter and equipment testing practices, as provided in rule 3303;
  - (XII) approval of a meter sampling program, as provided in rule 3304;
  - (XIII) approval of a refund plan, as provided in rule 3410;
  - (XIV) approval of a Low-Income Energy Assistance Plan, as provided in rule 3411;
  - (XV) approval of a cost assignment and allocation manual, as provided in rule 3503;
  - (XVI) approval of or for amendment to a least-cost resource plan, as provided in rules 3603, 3618, and 3619;
  - (XVII) approval of a compliance plan, as provided in rule 3657;
  - (XVIII) appeal of local government land use decision, as provided in rule 3703; or
  - (XIX) matter not specifically described in this rule, unless such matter is required to be submitted as a petition under rule 1304, as a motion, or as some other specific type of submittal.
- (b) In addition to the requirements of specific rules, all applications shall include, in the following order and specifically identified, the following information, either in the application or in appropriately identified attachments:
- (I) the name and address of the applying utility;
  - (II) the name(s) under which the applying utility is, or will be, providing service in Colorado;
  - (III) the name, address, telephone number, and e-mail address of the applying utility's representative to whom all inquiries concerning the application should be made;
  - (IV) a statement that the applying utility agrees to answer all questions propounded by the Commission staff concerning the application;
  - (V) a statement that the applying utility shall permit the Commission or Commission staff to inspect the applying utility's books and records as part of the investigation into the application;

- (h) Each non-RUS borrower cooperative electric association shall preserve records consistent with the provisions of 18 C.F.R. Part 101, effective as of April 1, 2014.

**3006. Annual Reports and Cooperative Electric Association Reports.**

- (a) On or before April 30th of each year, each utility shall file with the Commission an annual report for the preceding calendar year. The utility shall submit the annual report on forms prescribed by the Commission; shall properly complete the forms; and shall ensure the forms are verified and signed by a person authorized to act on behalf of the utility; and shall file the forms in accordance with subparagraph 1204(a)(III) of the Commission's Rules of Practice and Procedure. If the Commission grants the utility an extension of time to file the annual report, the utility nevertheless shall file with the Commission, on or before April 30, the utility's total gross operating revenue from intrastate utility business transacted in Colorado for the preceding calendar year.
- (b) If a certified public accountant prepares an annual report for a utility, the utility either shall file two copies of the report with the Commission or shall file it through the Commission's E-Filings System within 30 days after publication.
- (c) A cooperative electric association shall file with the Commission a report listing its designation of service of process.
- (d) A cooperative electric association shall file with the Commission a report of election to be governed by § 40-8.5-102, C.R.S., pertaining to unclaimed monies. This report shall be filed within 60 days of the election.

**3007. [Reserved].**

**3008. Incorporation by Reference.**

- (a) The Commission incorporates by reference 18 C.F.R. Part 101 (as published on April 1, 2014) regarding the Uniform System of Accounts Prescribed for Public Utilities and Licensees Subject to the Provisions of the Federal Power Act. No later amendments to or editions of 18 C.F.R. Part 101 are incorporated into these rules.
- (b) The Commission incorporates by reference 7 C.F.R. Part 1767 (as published on May 27, 2008) regarding the Uniform System of Accounts Prescribed for RUS Electric Borrowers. No later amendments to or editions of 7 C.F.R. Part 1767 are incorporated into these rules.
- (c) The Commission incorporates by reference 18 C.F.R. Part 125 (as published on August 7, 2000) regarding the Preservation of Records of Public Utilities and Licensees. No later amendments to or editions of 18 C.F.R. Part 125 are incorporated into these rules.
- (d) The Commission incorporates by reference RUS Bulletin 180-2 (as published on June 26, 2003) regarding Record Retention Recommendations for RUS Electric Borrowers. No later amendments to or editions of RUS Bulletin 180-2 are incorporated into these rules.