

Decision No. C11-0185

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 11M-122W

IN THE MATTER OF THE FILING OF ANNUAL REPORTS IN ACCORDANCE WITH
RULE 4 CCR 723-5-5006 BY UTILITIES HOLDING A CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY TO PROVIDE WATER OR COMBINED WATER AND
SEWER SERVICES IN THE STATE OF COLORADO.

**COMMISSION ORDER
CONCERNING FILING OF THE
2010 ANNUAL REPORTS BY WATER AND
COMBINED WATER AND SEWER PROVIDERS**

Mailed Date: February 23, 2011
Adopted Date: February 17, 2011

I. BY THE COMMISSION

A. Statement

1. In accordance with Rule 4 *Code of Colorado Regulations* 723-5-5006 of the *Rules Regulating Water, and Combined Water and Sewer Utilities*, regulated water and combined water and sewer utilities are required to file an annual report on or before April 30 for the preceding calendar year. Rule 5006 states that the annual report shall be submitted on the forms prescribed by the Commission, and requires regulated utilities to file any additional reports specified by the Commission.

2. This Order specifies the forms which must be filed by regulated water and combined water and sewer utilities for the 2010 reporting year. These utilities shall submit the annual report in accordance with the requirements listed on Appendix A to this Order. The annual report forms may be found on the Commission's website at www.dora.state.co.us/puc.

3. All regulated water and combined water and sewer utilities must also submit a copy of their gross regulated intrastate operating revenues report required by the Colorado Department of Revenue as Form DR 0525. That form may also be found on the Commission's website.

B. Conclusion

4. We find that each utility holding a Certificate of Public Convenience and Necessity to provide water or combined water and sewer services in the State of Colorado during the 2010 calendar year shall file an annual report in the form prescribed here. Such reports shall be filed no later than April 30, 2011, in accordance with Rule 5006.

5. Each filing utility is required to identify the individual authorized to file on its behalf and designated as the Annual Report Contact. If no specific designation is made to the Commission, an officer of the utility will be considered as the Annual Report Contact for the purpose of this filing requirement. We note that, in accordance with § 40-7-106, C.R.S., every officer, agent, or employee of any public utility who violates or fails to comply with or who aids or abets any violation by any public utility of, among other things, any order, decision, or rule of this Commission, commits a Class 2 Misdemeanor and may be punished as provided in § 18-1.3-501, C.R.S.

6. A water or combined water and sewer utility subject to this Order may file a motion for extension of time to file its annual report, which may be granted for a period not to exceed 30 days if good cause is shown as to why it is unable to comply with the April 30, 2011 deadline. Such motion shall not include a request for extension of time to file Form DR 0525. Motions for extension of time will be referred to an Administrative Law Judge for disposition.

II. ORDER

A. The Commission Orders That:

1. On or before April 30, 2011, utilities holding a Certificate of Public Convenience and Necessity to provide water or combined water and sewer service in Colorado during calendar year 2010 shall file an annual report in the form prescribed in this Order, and any additional reports as required by Appendix A to this Order.

2. The utilities shall also submit a copy of the Colorado Department of Revenue Form DR 0525 no later than April 30, 2011. The utilities may not request an extension of time to file Form DR 0525.

3. This matter is referred to an Administrative Law Judge for disposition of all motions and pleadings.

4. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
February 17, 2011.**

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JAMES K. TARPEY

MATT BAKER

Commissioners

ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Doug Dean".

Doug Dean,
Director

CHAIRMAN RONALD J. BINZ ABSENT.