

Decision No. C13-0213

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

DOCKET NO. 13M-0105EG

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IN THE MATTER OF THE FILING OF ANNUAL REPORTS IN ACCORDANCE WITH RULES 4 CCR 723-3-3006 AND 4 CCR 723-4-4006 BY UTILITIES HOLDING A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE ENERGY SERVICES IN THE STATE OF COLORADO.

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**ORDER CONCERNING FILING  
OF YEAR 2012 ANNUAL REPORTS BY  
ELECTRIC, GAS, AND STEAM PROVIDERS**

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Mailed Date: February 21, 2013  
Adopted Date: February 13, 2013

**I. BY THE COMMISSION**

**A. Statement**

1. In accordance with Rule 3006 of the Commission's Rules Regulating Electric Utilities, 4 *Code of Colorado Regulations* (CCR) 723-3 and Rule 4006 of the Commission's Rules Regulating Gas Utilities and Pipeline Operators, 4 CCR 723-4, each utility over which the Commission has jurisdiction is required to file an annual report on or before April 30th for the preceding calendar year. The rules state that the annual report shall be filed on forms prescribed by the Commission, and requires that regulated utilities file any additional reports specified by the Commission.

2. This Order specifies the forms to be filed by energy and steam utilities for the 2012 reporting year. Each utility shall file the annual report in accordance with the requirements listed on Appendix A to this Order. Cooperative electric associations subject to Article 9.5 of Title 40, C.R.S., and all energy utilities must also file a copy of the report of gross regulated intrastate operating revenues required by the Colorado Department of Revenue, Form DR 0525.

That form may be found on the Commission's website at <http://dora.colorado.gov/puc>. Pursuant to Article 3.5 of Title 40, C.R.S., municipal utilities authorized to serve areas outside their municipal corporate limits need only report gross operating revenues relating to those areas.

**B. Conclusion**

3. The Commission finds that each utility holding a Certificate of Public Convenience and Necessity to provide electric, gas, or steam services in accordance with Title 40 of the Colorado Revised Statutes during the 2012 calendar year shall file an annual report in the form prescribed here. Such reports shall be filed no later than April 30, 2013, in accordance with the aforementioned Rules relating to energy utilities. Each filing utility shall also file a copy of Form DR 0525 with the Commission no later than April 30, 2013.

4. 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. The Commission notes 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 subject to penalties, including without limitation, penalties set forth in § 18-1.3-501, C.R.S.

5. A utility subject to this Order may file a motion for extension of time to file its annual report with the Commission. The motion may be granted for a period not to exceed 30 days if good cause is shown why the utility is unable to comply with the April 30, 2013 deadline. Such motion shall not include a request for extension of time to file Form DR 0525. Motions for an extension of time shall be referred to an Administrative Law Judge for disposition.

**II. ORDER**

**A. The Commission Orders That:**

1. On or before April 30, 2013, each utility holding a Certificate of Public Convenience and Necessity to provide electric, gas, or steam service in Colorado during the 2012 calendar year 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. Each filing entity shall also file a copy of the Colorado Department of Revenue Form DR 0525 no later than April 30, 2013. Entities 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 13, 2013.**

(S E A L)



ATTEST: A TRUE COPY

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

Doug Dean,  
Director

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

JOSHUA B. EPEL

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PAMELA J. PATTON

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Commissioners

COMMISSIONER JAMES K. TARPEY  
ABSENT.