

Decision No. C14-0139

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 12A-1267G

IN THE MATTER OF THE APPLICATION OF DURANGO MOUNTAIN UTILITIES, LLC FOR 1) THE ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR SERVICE TERRITORY; 2) APPROVAL OF A COST ALLOCATION AND ASSIGNMENT MANUAL; 3) APPROVAL OF TARIFF AND RULES AND REGULATIONS; AND 4) WAIVER OF CERTAIN COMMISSION RULES.

**DECISION GRANTING MOTION AND
WAIVING RESPONSE TIME**

Mailed Date: February 6, 2014

Adopted Date: February 5, 2014

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of a motion filed by Durango Mountain Utilities, LLC (DMU or the Company) on January 29, 2014 seeking an extension of the filing deadline for its first advice letter and proposed tariff, along with any other outstanding compliance filings. DMU also seeks a waiver of response time to the motion.

2. DMU explains in the motion that, by Decision Nos. R13-0926 issued August 28, 2013 and C13-1349 issued October 28, 2013, the Company was required to file, on or before January 31, 2014, the following compliance items:

- An advice letter and proposed tariff sheets, including rules and regulations and proposed rates
- Standards of Conduct
- A Memorandum of Understanding (MOU) between DMU and its parent company
- A revised and restated revision of its Cost Assignment and Allocation Manual (CAAM)

- Amendments to its Infrastructure Acquisition Agreement (IAA)
- Analysis and presentation of development of DMU infrastructure for a finding of prudence with respect to existing propane gas storage and distribution infrastructure;
- A report regarding all existing encumbrances on DMU's propane gas utility assets;
- A report regarding all existing leases pertaining to DMU's propane gas utility assets;
- Testimony supporting the above, including discussion of any requested waivers; and
- Any other documents or filings which are necessary in order to comply with Commission decisions.

3. On January 31, 2014, DMU filed some of the required items, including a report of encumbrances on DMU's propane gas utility assets, a report of leases pertaining to DMU's propane gas utility assess, and the discloser required by Rule 4505 of the Commission's Rules Regulating Gas Utilities and Pipeline Operators 4 *Code of Colorado Regulations* (CCR) 723-4.

4. In the motion, DMU explains that it has made significant progress in completing the other compliance filings and that it has communicated with Staff of the Colorado Public Utilities Commission (Staff) concerning the proposed rules, regulations, and rates. DMU states that Staff has raised several issues with respect to its proposed tariff and rates and that the Company will require additional time to complete further analysis and consideration of Staff's issues. DMU thus requests that the filing deadline be extended to February 6, 2014.

5. DMU also states that Staff was informed of the motion and does not oppose it.

B. Findings and Conclusions

6. We find good cause to grant the motion and extend the filing of the outstanding compliance items required by Decision Nos. R13-0926 and C13-1349 to February 6, 2014.

We agree with DMU that no party will be prejudiced by the relief requested. We also waive response time to the motion as it is unopposed.

II. ORDER

A. The Commission Orders That:

1. The motion filed by Durango Mountain Utilities, LLC (DMU) on January 29, 2014 is granted, consistent with the discussion above. DMU shall file the required items in compliance with Decision Nos. R13-0926 and C13-1349 on or before February 6, 2014.

2. Response time to the motion is waived.

3. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
February 5, 2014.**

(S E A L)



ATTEST: A TRUE COPY

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JOSHUA B. EPEL

PAMELA J. PATTON

GLENN A. VAAD

Commissioners