

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14V-0523G

IN THE MATTER OF THE PETITION OF ROCKY MOUNTAIN NATURAL GAS LLC FOR WAIVER OF THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO'S RULES 4602(C), 4605, AND 4606 OF THE RULES REGULATING GAS UTILITIES AND PIPELINE OPERATORS AND WAIVER OF THE NOTICE AND INTERVENTION PERIOD REQUIRED BY RULE 1206(D).

**COMMISSION DECISION GRANTING
TEMPORARY WAIVER**

Mailed Date: June 19, 2014

Adopted Date: June 18, 2014

I. BY THE COMMISSION

A. Statement

1. On May 23, 2014, Rocky Mountain Natural Gas LLC (Rocky Mountain or the Company), filed a petition for waiver of Rules 4602(c), 4605, and 4606 (the Gas Purchase Plan Rules) of the Commission's Rules Regulating Gas Utilities and Pipeline Operators, 4 *Code of Colorado Regulations* 723-4.

2. The Company also petitioned the Commission for a waiver of the notice and intervention period required by Rule 1206(d).

3. The Company has requested the waiver since the Company's gas purchasing responsibilities have been assigned to SourceGas Distribution LLC effective June 1, 2014 as a result of Advice Letter 82 going into effect by operation of law on June 1, 2014.

4. Advice Letter 82 implemented new rate schedules and tariffs for Rocky Mountain as a result of Decision No. R14-0114 in Consolidated Proceedings Nos. 13A-0046G, 13AL-0067G, and 13AL-0143G issued January 30, 2014, approving the Amended Stipulation and Agreement in Resolution of the Proceedings.

5. The new tariffs and rate schedules reflect Rocky Mountain's revised operations as a transporter of natural gas supplies and its merchant responsibilities were assigned to SourceGas Distribution LLC.

B. Findings of Fact

6. Given that the Company Tariff has become effective by operation of law and no longer performs the functions of arranging for gas supply for its customers, and the Company has asked for only a temporary waiver (to June 1, 2015), the waiver request is reasonable.

7. The Commission does note that Decision No. R14-0114 became a final Commission Decision on February 19, 2014 and the Company waited until May 23, 2014 to file the request for waivers, only 8 days before the required date for the Company's annual Gas Purchase Plan and more than 90 days after the final Decision.

8. The Commission finds that good cause has been shown to allow Rocky Mountain a waiver of applicable Commission Rules in this instance, as the Company's business model has been modified as a result of Decision No. R14-0114.

9. Since this is a limited waiver until June 1, 2015, the Commission will require the Company to file a waiver by April 30, 2015 if it seeks to continue under a Commission waiver of the Gas Purchase Plan Rules.

II. ORDER**A. The Commission Orders That:**

1. The petition filed by Rocky Mountain Natural Gas LLC for temporary waiver of Commission Rules 4602(c), 4605, and 4606, 4 *Code of Colorado Regulations* (CCR) is granted.

2. The request for waiver of the notice and intervention period required by Rule 1206(d) of the Commission's Rules of Practice and Procedure 4 CCR 723-1 is denied as moot.

3. The 20-day time period provided by § 40-6-114(1), C.R.S., to file an application for rehearing, reargument, or reconsideration shall begin on the first day after the Commission mails this Decision.

4. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
June 18, 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