

Decision No. R14-0748

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

PROCEEDING NO. 14AL-0258G

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IN THE MATTER OF ADVICE LETTER NO. 269 FILED BY SOURCEGAS  
DISTRIBUTION, LLC TO MODIFY AND REVISE TARIFF SHEETS TO  
BECOME EFFECTIVE JUNE 1, 2014.

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**RECOMMENDED DECISION OF  
ADMINISTRATIVE LAW JUDGE  
PAUL C. GOMEZ  
GRANTING MOTION TO  
WITHDRAW ADVICE LETTER  
AND WAIVING RESPONSE TIME TO MOTION**

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Mailed Date: July 1, 2014

**I. STATEMENT**

1. On March 20, 2014, SourceGas Distribution, LLC (SourceGas) filed Advice Letter No. 269. SourceGas submitted Advice Letter No. 269 without supporting testimony and exhibits.

2. SourceGas stated that the purpose of the Advice Letter filing was to comply with the terms of a Stipulation and Agreement approved in consolidated Proceeding Nos. 13A-0046G, 13AL-0067G, and 13AL-0143G.

3. SourceGas requested an effective date of June 1, 2014 for the tariff sheets attached to Advice Letter No. 269.

4. By Decision No. C14-0554 issued on May 23, 2014, the effective date of the proposed tariffs attached to Advice Letter No. 269 were suspended pursuant to § 40-6-111(b), C.R.S., for 120 days or through September 29, 2014. Decision No. C14-0554 also referred this matter to an Administrative Law Judge for an evidentiary hearing on the proposed tariffs and a

Recommended Decision. That Decision also set a 30-day intervention period which expired on June 23, 2014.

5. The sole intervenor in this proceeding is Staff of the Commission (Staff).

6. By Interim Decision No. R14-0683-I issued June 23, 2014, a pre-hearing conference was scheduled for July 9, 2014.

7. On June 30, 2014, SourceGas filed a Motion to Withdraw Advice Letter No. 269 and for Waiver of Response Time (Motion).

8. According to the Motion, after discussions with Staff regarding the issues stated in its Notice of Intervention, SourceGas has agreed to withdraw its Advice Letter in this proceeding. SourceGas represents that counsel for Staff does not oppose the requested relief.

9. Good cause is found to grant the requested relief and approve the withdrawal of Advice Letter No. 269 by SourceGas. Response time to the Motion will be waived.

10. In accordance with § 40-6-9, C.R.S., it is recommended that the Commission enter the following order.

## **II. ORDER**

### **A. It Is Ordered That:**

1. The Motion to Withdraw Advice Letter No. 269 (Motion) filed by SourceGas Distribution, LLC on June 30, 2014 is granted.

2. Response time to the Motion is waived.

3. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if that is the case, and is entered as of the date above.

4. As provided by § 40-6-109, C.R.S., copies of this Recommended Decision shall be served upon the parties, who may file exceptions to it.

a) If no exceptions are filed within 20 days after service or within any extended period of time authorized, or unless the Decision is stayed by the Commission upon its own motion, the Recommended Decision shall become the Decision of the Commission and subject to the provisions of § 40-6-114, C.R.S.

b) If a party seeks to amend, modify, annul, or reverse basic findings of fact in its exceptions, that party must request and pay for a transcript to be filed, or the parties may stipulate to portions of the transcript according to the procedures stated in § 40-6-113, C.R.S. If no transcript stipulation is filed, the Commission is bound by the facts set out by the administrative law judge and the parties cannot challenge these facts. This will limit what the Commission can review if exceptions are filed.

5. If exceptions to this Decision are filed, they shall not exceed 30 pages in length, unless the Commission for good cause shown permits this limit to be exceeded.

(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

PAUL C. GOMEZ

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Administrative Law Judge