Decision No. R14-1064-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14F-0899EG

TIMOTHY A. BENSON,

COMPLAINANT,

V.

PUBLIC SERVICE COMPANY OF COLORADO,

RESPONDENT.

INTERIM DECISION OF ADMINISTRATIVE LAW JUDGE G. HARRIS ADAMS PROHIBITING DISCONTINUANCE OF SERVICE

Mailed Date: August 29, 2014

I. STATEMENT

1. On August 28, 2014, Complainant Timothy A. Benson filed a Complaint against Public Service Company of Colorado (Public Service).[1] Complainant contends that Public Service improperly demands payment for utility services.

2. Complainant requests that disconnection of service be prohibited so that the matter may be heard.

[1] The Complaint named "Xcel Energy" as the Respondent. Public Service conducts utility business in Colorado as a wholly-owned subsidiary of Xcel Energy, Inc., a public utility holding company. As a result, Public Service is the proper designation for the Respondent in this matter.

3. Commission Staff indicates that Complainant's service is not immediately subject to disconnection and continues to be in effect.

4. The Commission does have the authority to prohibit discontinuance of service pending resolution of a proceeding involving a dispute over utility charges upon such terms as the Commission deems reasonable, including the requirement that the complainant post a bond. *See* Rules Regulating Electric Utilities, 4 *Code of Colorado Regulations* (CCR) 723-3-3408(b)(X) and 4 CCR 723-4-4408(b)(X) of the Rules Regulating Gas Utilities and Pipeline Operators. The Complainant has made a sufficient showing to warrant an order prohibiting discontinuance of service.

5. Commission Staff indicates that the amount in dispute is likely less than $100. Complainant disputes the bill without any specificity to amounts challenged. One cannot determine the time over which the balance accrued from the Complaint.

6. The Complaint establishes sufficient grounds for prohibiting Public Service from discontinuing utility service subject to one condition: Complainant must keep current with future charges incurred for utility services provided by Public Service.

II. ORDER

A. It Is Ordered That:

1. Public Service Company of Colorado shall not discontinue utility service to Timothy A. Benson at service address 6902 Hampton Court, Castle Rock, Colorado 80108, pending resolution of this proceeding.

2. The order prohibiting discontinuance of utility service set forth in ordering paragraph no. 1 above is also conditioned upon Timothy A. Benson keeping current with charges

incurred for future utility services provided by Public Service Company of Colorado at 6902 Hampton Court, Castle Rock, Colorado 80108.

3. If any condition of the relief granted in ordering paragraph no. 1 above is not met, Public Service Company of Colorado may discontinue such utility service at 6902 Hampton Court, Castle Rock, Colorado 80108 in accordance with tariffs on file without further order from the Commission.

4. This Decision shall be effective immediately.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

G. HARRIS ADAMS

Administrative Law Judge

ATTEST: A TRUE COPY

Doug Dean,
Director