

Decision No. R14-1186-I

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

PROCEEDING NO. 14F-0971EG

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STEVE HORWITZ,

COMPLAINANT,

V.

PUBLIC SERVICE COMPANY OF COLORADO,

RESPONDENT.

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

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Mailed Date: September 29, 2014

**I. STATEMENT**

1. On September 26, 2014, Steve Horwitz (Complainant), filed a Complaint against Public Service Company of Colorado (Public Service).<sup>1</sup>

2. The Complaint generally alleges that Public Service failed to furnish, provide, and maintain such service, instrumentalities, equipment, and facilities as shall promote the safety, health, comfort, and convenience of its patrons, employees, and the public, and as shall in all respects be adequate, efficient, just, and reasonable. Based upon a review of the Complaint, one cannot immediately determine the amount at issue.

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<sup>1</sup> The Complaint named “Xcel” 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. Complainant filed this Complaint and requests a decision from the Commission precluding discontinuance of service pending a determination of the merits. The undersigned is informally advised that service is subject to shutoff as of the date of this interim decision.

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 Rules Regulating Gas Utilities and Pipeline Operators 4 CCR 723-4-4408(b)(X). The Complainant has made a sufficient showing to warrant a decision prohibiting discontinuance of service.

5. The Complaint establishes sufficient grounds for prohibiting Public Service from discontinuing utility service subject to conditions. In light of the allegations of the Complaint and little information regarding charges for utility service, no deposit or bond will be immediately required as to the charges. However, Complainant must keep current with all other charges incurred for utility services provided by Public Service.

## **II. ORDER**

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

1. Public Service Company of Colorado (Public Service) shall not discontinue gas or electric service to the Complainant, Steve Horwitz, at the service address of 1955 S. Bannock, Denver, Colorado 80210 during the pendency of the proceeding or until further order of the Commission.

2. Ordering Paragraph No. 1 above is contingent on Steve Horwitz staying current with bills for gas and electric service at the service address of 1955 S. Bannock, Denver, Colorado 80210 during this proceeding. If this condition is not met, Public Service may discontinue service, after notice in accordance with Commission Rules, without further order of this Commission.

3. The Commission may reconsider a requirement that Complainant post a bond as a further condition of this interim relief as additional information becomes available.

4. This Decision shall be effective immediately.

(S E A L)



ATTEST: A TRUE COPY

*Doug Dean*

Doug Dean,  
Director

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

G. HARRIS ADAMS

Administrative Law Judge