

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
PUBLIC SERVICE COMPANY OF COLORADO )  
FOR A CERTIFICATE OF CONVENIENCE AND )  
NECESSITY TO EXERCISE ELECTRIC FRAN-) )  
CHISE RIGHTS IN THE CITY OF BRIGHTON )  
ADAMS COUNTY, COLORADO. - - - - - )

APPLICATION NO. 2021

- - - - -  
September 25, 1935.  
- - - - -

Appearances: Lee, Shaw and McCreery, Esqs., Denver, Colorado,  
attorneys for applicant.

S T A T E M E N T

By the Commission:

This is an application for a certificate of public convenience and necessity authorizing the exercise by applicant of certain rights and privileges granted by the City Council of the City of Brighton, Adams County, Colorado, in and by Ordinance No. 189.

On May 3, 1932, there was passed by the City Council, and approved by the Mayor of the City of Brighton, said Ordinance No. 189, granting to applicant, its successors and assigns, a franchise

"TO CONSTRUCT, ACQUIRE, MAINTAIN AND OPERATE A PLANT OR PLANTS, AND WORKS FOR THE GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRICITY, AND TO FURNISH, SELL AND DISTRIBUTE SAID PRODUCT TO THE SAID CITY OF BRIGHTON AND THE INHABITANTS THEREOF FOR LIGHT, HEAT AND POWER, OR OTHER PURPOSES, BY MEANS OF CONDUITS, CABLES, POLES AND WIRES STRUNG THEREON, OR OTHERWISE, OVER, UNDER, ALONG, ACROSS AND THROUGH ALL STREETS, ALLEYS AND PUBLIC WAYS AND PLACES IN THE CITY OF BRIGHTON, AND FIXING THE TERMS AND CONDITIONS THEREOF."

The term of said franchise is ten years from and after its passage, approval and publication, and acceptance and approval by the applicant. Said applicant duly accepted and approved said franchise on May 11, 1932.

The evidence disclosed that applicant is a corporation duly organized and existing and doing business as a public utility under and by virtue of the laws of the State of Colorado, having its principal office and place of business in the City and County of Denver in said State. It is authorized and

empowered by the State of Colorado to engage in the business of generating electrical energy and in transmitting such energy by means of transmission and distribution lines for heat, light, power and other purposes, directly to consumers or wholesalers.

It was further disclosed that no other utility is now serving the City of Brighton, which has a population of approximately 3400, and applicant is now serving some 1000 customers therein. The current used by applicant in the distribution system at Brighton is generated at its so-called "Central Plant", and the only capital investment to be considered in the instant case is the distribution system, which the testimony shows to be of a value of approximately \$100,000. However, this figure will not preclude the Commission from adopting a different valuation if the occasion arises in some future rate hearing.

It further appears that application for the authority herein sought was filed with the Commission on May 31, 1932, but due to oversight of the Commission or of the attorneys for applicant, had never heretofore been set for hearing. However, notice of the hearing was mailed to the Mayor of the City of Brighton and no objections to the granting of the certificate have been filed with the Commission.

After a careful consideration of the evidence, the Commission is of the opinion, and so finds, that the public convenience and necessity require the exercise by the applicant of the franchise rights granted to it by the City of Brighton, Colorado.

#### O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity require the exercise by applicant of the franchise rights granted to it by the City Council of the City of Brighton, Colorado, in Ordinance No. 189, passed on the 3rd day of May, 1932, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

IT IS FURTHER ORDERED, That applicant shall file its rate schedules

rules and regulations, set up its books and accounts in agreement with the Uniform Classification of Accounts, and in all respects bring its practices as to testing, consumers' deposits and operations, and its record of meters, transformers and complaints into compliance with the Commission's requirements, within twenty days from the date hereof.

IT IS FURTHER ORDERED, That failure of the applicant to comply as ordered above within said specified period, shall nullify and automatically revoke at the end of said period the authorization herein granted, but subject to any further action or modification the Commission may order in the premises.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Edward W. Wheeler

W. L. Danks

James E. Siers

Commissioners.

Dated at Denver, Colorado,  
this 24th day of September, 1935.