

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MOUNTAIN VIEW ELECTRIC ASSOCIATION,)
INC., OF LIMON, COLORADO, FOR AN)
EXTENSION OF ITS CERTIFICATE OF)
PUBLIC CONVENIENCE AND NECESSITY)
TO FURNISH ELECTRIC SERVICE FOR)
LIGHT, HEAT, POWER AND OTHER PUR-)
POSES, IN THE AREAS DESCRIBED IN)
THIS APPLICATION, LOCATED IN)
LINCOLN, WASHINGTON, AND EL PASO)
COUNTIES, COLORADO.)
-----)

APPLICATION NO. 19197

August 28, 1962

Appearances: Snyder and James, Esqs.,
Colorado Springs, Colo-
rado, by
Robert T. James, Esq.,
Colorado Springs, Colo-
rado, for Applicant;
Paul M. Brown, Denver, Colo-
rado, for the Staff of
the Commission.

S T A T E M E N T

By the Commission:

This is an application by Mountain View Electric Associa-
tion, Inc., of Limon, Colorado, for an extension of the certificate
of public convenience and necessity heretofore granted by this Com-
mission, covering extended areas located in Lincoln, Washington, and
El Paso Counties, Colorado.

The matter was set for hearing after due notice to all
interested parties, on Monday, August 13, 1962, at two o'clock P. M.,
in the Hearing Room of the Commission, 532 State Services Building,
Denver, Colorado, and at the conclusion thereof, was taken under advisement.

No petitions of intervention were filed with the Commission
prior to the hearing, and no one appeared at the hearing in opposition
to the application.

Applicant is a Colorado corporation, organized and existing under and by virtue of the laws of the State of Colorado relative to non-profit corporations, and is engaged primarily in the business of purchasing, transmitting, distributing and selling electricity in the Counties of Elbert, Arapahoe, El Paso, Washington, Lincoln, and Douglas, in the State of Colorado. Certified copies of Applicant's Certificate of Incorporation, as amended to date, have previously been filed with this Commission.

Applicant showed that it was found to be a public utility and granted a certificate of public convenience and necessity to serve electricity in the above-mentioned counties, by this Commission in Decision No. 49651, of February 18, 1958. In this application, it seeks an extension of its certificate to cover facilities and services now being provided in three separated areas located in El Paso, Lincoln, and Washington Counties, Colorado, immediately contiguous to the areas served under its presently held certificate.

Mr. A. C. Payne, Manager of Mountain View Electric Association, Inc. (Applicant), testified Applicant has been in the business of furnishing electric service to rural customers since 1941. Exhibit A shows the extended areas sought to be certificated in this application, together with its presently certificated area. In the additional areas, 522 customers are being served. The area identified as No. 1 is located at the southwesterly corner of Applicant's presently certificated area and adjacent to the Town of Fountain, Colorado. Here construction of lines and the supplying of service began in 1945. The areas designated as 2 and 3 are located at the southeasterly and northeasterly boundaries of the existing certificate. Construction in Areas 2 and 3 was begun in the late 40's, and extensions thereto have been made from time to time. Since these dates, no other public utilities are serving in the extended areas herein sought to be certificated except the K-C Electric Association of Hugo, Colorado. This organization also holds a certificate of public convenience and necessity granted by this Commission in Decision No. 58655, of May 11, 1962. K-C Electric Association serves Mountain States

Telephone and Telegraph Company at a location in the Northwest $\frac{1}{4}$ of Section 7, Township 12-South, Range 54-West, and Applicant has no objection to the continuation of this service.

Applicant is and has been providing electric service in two areas previously certificated to other utilities. One is in the certificated area of the K-C Electric Association located in Lincoln County in portions, or all of Township 8-South, Ranges 52, 53 and 54 West; Township 9-South, Ranges 52, 53 and 54 West; Township 10-South, Ranges 54 and 55 West; Township 11-South, Ranges 54 and 55 West. The other is in the certificated area of the Town of Fountain located in parts of Townships 15 and 16 South, Ranges 65 and 66 West. The construction of facilities in these two areas was done at a time when Applicant was operating as a membership co-operative serving members only, and as such, did not require a certificate of public convenience and necessity from this Commission. Now that Applicant is a public utility, as demonstrated by its conduct and as declared in Chapter 115-CRS 1953, as revised, its facilities in existing certificated areas of other utilities should be frozen at their present location and extensions thereto should not be made.

Applicant is financed by the Rural Electrification Administration of the United States Government and so has available to it the necessary financing to make extensions of its facilities from time to time as required. It introduced Exhibits B and C, being a Balance Sheet and Operating Statement as of April 30, 1962, and indicated there had been no substantial changes in its financial position since this date. Service in all its service area is being provided in accordance with its Tariff Colorado P.U.C. No. 1, as on file with this Commission.

It appears Applicant should be additionally certificated in the three areas for which an extension of its present certificate is sought in this application, and that its facilities now in service in the certificated areas of the Town of Fountain and of the K-C

Electric Association should be frozen at their present level and extensions should not be made therefrom. The boundaries of its existing area plus the extension requested herein should be re-defined to include the existing area plus the extensions thereto.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission has jurisdiction of Applicant, and of the subject matter herein.

That the Commission is fully advised in the premises.

That the above Statement be made a part of these Findings by reference.

That public convenience and necessity require, and will continue to require, Applicant to provide electric service in the extended areas sought herein.

That public convenience and necessity require, and will require, the continued operation of its facilities within the certificated area of the Town of Fountain and in the certificated area of K-C Electric Association, Inc., but that no future extensions of this service to the customers not now being served shall be made.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require, and will require, the continued operation and any extension thereto, as may be required from time to time, by Applicant in its existing certificated area and the extended area sought herein, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

That the total exterior boundary, including the presently certificated area and the extended areas is as follows:

Beginning at a point in the Southwest corner of the Southwest Quarter of Section 18, Township 8-South, Range 65-West, 6th P. M.; thence East 5 miles to the Northeast corner of Section 23, Township 8-South, Range 65-West; thence South 6 miles to the Southeast corner of Section 14, Township 9-South, Range 65-West; thence East 7 miles to the

Southeast corner of Section 13, Township 9-South, Range 64-West; thence North 2 miles to the Southwest corner of Section 6, Township 9-South, Range 63-West; thence approximately 2.8 miles in a Northeasterly direction, beginning at said Southwest corner of Section 6, Township 9-South, Range 63-West, to the Northwest corner of Section 33, Township 8-South, Range 63-West; thence East 4 miles to the Northeast corner of Section 36, Township 8-South, Range 63-West; thence South 1 mile to the Southeast corner of Section 36, Township 8-South, Range 63-West; thence East 2 miles to the Northeast corner of Section 5, Township 9-South, Range 62-West; thence North 6 miles to the Northwest corner of Section 4, Township 8-South, Range 62-West; thence approximately 19.5 miles in a northeasterly direction to the Northwest corner of Section 6, Township 6-South, Range 59-West; thence East 18 miles to the Southwest corner of Section 31, Township 5-South, Range 56-West; thence North 6 miles to the Northwest corner of Section 6, Township 5-South, Range 56-West; thence East 13 miles to the Northeast corner of Section 6, Township 5-South, Range 54-West; thence South 3 miles to the Southwest corner of Section 17, Township 5-South, Range 54-West; thence East 4 miles to the Southwest corner of Section 13, Township 5-South, Range 54-West; thence South 3 miles to the Southeast corner of Section 35, Township 5-South, Range 54-West; thence East approximately 12 miles to the Northeast corner of Section 1, Township 6-South, Range 52-West; thence South 12 miles to the Southeast corner of Section 36, Township 7-South, Range 52-West; thence West 17 miles to the Northwest corner of Section 5, Township 8-South, Range 54-West; thence South 9 miles to the Southeast corner of Section 18, Township 9-South, Range 54-West; thence West 1 mile to the Southwest corner of Section 18, Township 9-South, Range 54-West; thence South 3 miles to the Southeast corner of Section 36, Township 9-South, Range 55-West; thence West 6 miles to the Northwest corner of Section 6, Township 10-South, Range 55-West; thence Southerly approximately 12 miles along the East boundary line of Range 56-West to the Southwest corner of Section 31, Township 11-South, Range 55-West; thence East 12 miles to the Southwest corner of Section 31, Township 11-South, Range 53-West; thence North approximately 12 miles along the East boundary line of Range 54 to the Northwest corner of Section 6, Township 10-South, Range 53-West; thence East 12 miles to the Northeast corner of Section 1, Township 10-South, Range 52-West; thence Southerly along the East boundary line of Range 52-West a distance of approximately 47 miles to the Southeast corner of Township 17-South, Range 52-West; thence Westerly along the South boundary line of Township 17-South, Ranges 52, 53, 54, 55, 56, 57 and 58 West to the Southwest corner of Section 35, Township 17-South, Range 58 West; thence North $17\frac{1}{2}$ miles to the Southwest corner of the North half of Section 2, Township 15-South, Range 58-West; thence West 22 miles to the Southwest corner of the North half of Section 6, Township 15-South, Range 61-West; thence South

$17\frac{1}{2}$ miles to the Southeast corner of Section 36, Township 17-South, Range 62-West; thence West 24 miles to the Southwest corner of Section 31, Township 17-South, Range 65-West; thence North 6 miles to the Northwest corner of Section 6, Township 17-South, Range 65-West; thence East 6 miles to the Northwest corner of Section 6, Township 17-South, Range 64-West; thence North 10 miles to the Northwest corner of Section 18, Township 15-South, Range 64-West; thence West 4 miles to the Southwest corner of Section 9, Township 15-South, Range 65-West; thence North 7 miles to the Southwest corner of Section 4, Township 14-South, Range 65-West; thence West 1 mile on the section line to the Southwest corner of Section 5, Township 14-South, Range 65-West; thence North 4 miles to the Southwest corner of Section 17, Township 13-South, Range 65-West; thence West 2 miles to the Southwest corner of Section 13, Township 13-South, Range 66-West; thence North 2 miles to the Southwest corner of Section 1, Township 13-South, Range 66-West; thence West approximately 3.7 miles to the East boundary of the Air Force Academy site; thence following the East boundary line of the Air Force Academy site approximately 7.2 miles in a Northwesterly direction to the North boundary line of the Air Force Academy site on South line of Section 36, Township 11-South, Range 67-West; thence West approximately 3.7 miles to the Northwest corner of the $E\frac{1}{2}E\frac{1}{2}$ of Section 5, Township 12-South, Range 67-West; thence South 1 mile on the quarter section line to the South line of Section 5, said Township and Range; thence East one-fourth mile to the Southeast corner of Section 5, Township 12-South, Range 67-West; thence South 2 miles to the Southwest corner of Section 16, Township 12-South, Range 67-West; thence East one-half mile on the Section line to the Northeast corner of the Northwest quarter of Section 21, Township 12-South, Range 67-West; thence South one-half mile to the Southeast corner of the Northwest quarter of Section 21, Township 12-South, Range 67-West; thence West one-half mile to the Northwest corner of the Southwest quarter of Section 21, Township 12-South, Range 67-West; thence South one-half mile to the Southwest corner of the Southwest Quarter of Section 21, Township 12-South, Range 67-West; thence West 2 miles on the section line to the Southwest corner of Section 19, Township 12-South, Range 67-West; thence North 8 miles to the Northwest corner of Section 18, Township 11-South, Range 67-West; thence East 2 miles on the section line to the Northeast corner of Section 17, Township 11-South, Range 67-West; thence South one-fourth mile to the Southwest corner of the North half of the North half of Section 16, Township 11-South, Range 67-West; thence East one and one-half miles to the Southeast corner of the North half of the Northwest quarter of Section 15, Township 11-South, Range 67-West; thence North two and one-fourth miles to the Northwest corner of the Northeast quarter of Section 3, Township 11-South, Range 67-West; thence East $1\frac{1}{2}$ miles to the Southwest corner of Section 36, Township 10-South, Range 67-West; thence North $1\frac{1}{2}$ miles to the Northwest corner of the Southwest quarter of Section 25, Township

10-South, Range 67-West; thence approximately 4.3 miles in a Northeasterly direction to the Southwest corner of Section 15, Township 10-South, Range 66-West; thence approximately 3.5 miles in a Northeasterly direction to the Northeast corner of the Southeast quarter of Section 34, Township 9-South, Range 66-West; thence West 1 mile to the Northwest corner of the Southwest quarter of Section 34, Township 9-South, Range 66-West; thence North 1 mile to the Northwest corner of the Southwest quarter of Section 27, Township 9-South, Range 66-West; thence East 1 mile to the Northeast corner of the Southeast quarter of Section 27, Township 9-South, Range 66-West; thence approximately 7.7 miles in a northeasterly direction to the point of beginning;

located in Arapahoe, Elbert, El Paso, Washington, Lincoln, and Douglas Counties, Colorado.

That the public convenience and necessity require, and will require, the continued operation of Applicant's facilities as they now exist within the certificated area of the Town of Fountain and of K-C Electric Association, but no extensions thereto to serve new or additional customers shall be made.

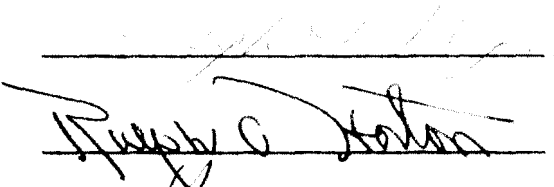

That Applicant shall continue the operation of its electric system and the supplying of service in the above designated areas in accordance with its schedule of rates, rules and regulations now on file with this Commission, or as the same may be hereafter amended, or changed, according to law or the rules of this Commission.

That Applicant shall continue to maintain its books and accounts in accordance with the Uniform System of Accounts as prescribed by the Commission, and shall continue to keep its practices in accordance with the Rules Regulating the Service of Gas and Electric Utilities, as presently prescribed by this Commission, now in effect and as they may hereafter be amended.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 28th day of August, 1962.
ea



Commissioners.