

(Decision No. C88-1000)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CENTEL CORPORATION FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY)
TO EXERCISE RIGHTS UNDER A FRANCHISE)
GRANTED TO IT BY THE BOARD OF)
TRUSTEES OF THE TOWN OF COAL CREEK)
IN FREMONT COUNTY, COLORADO.)
)

APPLICATION NO. 39076

DECISION AND ORDER
GRANTING A CERTIFICATE
OF PUBLIC CONVENIENCE AND
NECESSITY TO EXERCISE
FRANCHISE RIGHTS

- - - - -
August 3, 1988
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STATEMENT AND FINDINGS

BY THE COMMISSION

On July 5, 1988, Centel Corporation (Centel or Applicant) filed Application No. 39076 for Certificate of Public Convenience and Necessity of Exercise Rights under a franchise granted to it by the Board of Trustees by the Town of Coal Creek in Fremont County, Colorado. Notice of the Application was given by the Executive Secretary of the Commission on July 11, 1988. No protests or motions to intervene have been filed in connection with Application No. 39076. Accordingly, the Application may be determined as an unopposed application in accordance with § 40-6-109(5) C.R.S., and Rule 24 of the Commission's Rules of Practice and Procedure.

FINDINGS OF FACT

1. Centel is a public utility within the meaning of the Public Utilities Act of the State of Colorado, and is engaged in the business of generating electrical energy by steam power plants located at Pueblo, in Pueblo County, Colorado; at Canon City, in Fremont County, Colorado; and at Rocky Ford, in Otero County, Colorado, and in transmitting and distributing electrical energy by means of transmission and distribution lines in the Counties of Pueblo, Otero, Bent, Crowley, El Paso, Fremont, Teller, and Custer, in the State of Colorado. Applicant sells electrical energy for light, heat, power, and all other purposes to which the sale of electrical energy is applicable, either directly to consumers or it wholesales the electrical energy to other public utilities for distribution and sale to consumers.

2. Centel is a Kansas Corporation authorized to do business in Colorado.

3. The steam power plants at Pueblo, Canon City, and Rocky Ford are all interconnected by transmission and distribution lines which, for many years past have been owned and operated by applicant and its predecessors in title. Among the communities which are and have been served by applicant's system, is the Town of Coal Creek, a statutory town in Fremont County, and the inhabitants of the Town, together with the inhabitants of the surrounding territory. The Town of Coal Creek has a population of about 180 people, and Applicant serves 78 customers in the Town.

The Town is served with electrical energy by Applicant alone, and no other public utility has facilities for the generation or transmission or distribution of electrical energy in the Town. The public convenience and necessity of the Town of Coal Creek and its inhabitants require the granting and exercise of the franchise rights stated in the ordinance and the continued maintenance and operation of its system.

4. On May 4, 1988, the Trustees of the Town of Coal Creek approved the adoption of Ordinance No. 1, Series of 1988, granting to Centel the franchise for electric light, heating, power, and other purposes in town. A copy of the franchise ordinance and other required documents were attached to the Application as Exhibit A.

5. Attached to the Application as Exhibit B was a map showing the territory covered by Centel's electrical and generating system. Exhibit C, attached to the Application, is a map showing its transmission and distribution lines within the Town of Coal Creek upon which it is proposed to exercise the right or privilege granted by the ordinance.

6. Exhibit D, attached to the Application, is a copy of the written acceptance of the Ordinance filed with the Town Clerk on May 6, 1988.

7. Applicant's present capital investment in the Town of Coal Creek and the territory immediately tributary to the Town is approximately \$554,116.00.

8. Exhibit E, attached to the Application, is Applicant's most recent balance sheet, and Exhibit F, also attached to the Application is Centel's statement of income and retained earnings for the same period as its balance sheet.

9. Centel's tariffs are already on file with the Commission, and, therefore, no additional copy was attached as an exhibit to its application.

CONCLUSIONS ON FINDINGS OF FACT

The Commission finds that Centel's application is in the public interest and should be granted.

THEREFORE THE COMMISSION ORDERS THAT:

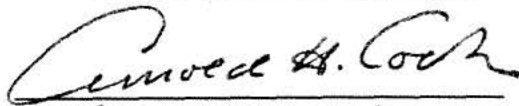
Centel Corporation is granted a Certificate of Public Convenience and Necessity authorizing it:

- a. to exercise its franchise right granted by Ordinance No. 1, Series of 1988, identified as Exhibit "A" to the application, and by reference made a part of the application to erect and maintain an electric plant and system in the Town of Coal Creek, a statutory town, and to exercise such rights as the public convenience and necessity will require;
- b. to erect and maintain its electric plant and furnish electricity and service in the area above designated in accordance with its schedules of rates, rules, and regulations now on file with this Commission or as they may be changed according to law and the rules and regulations of this Commission.
- c. to continue to maintain its books and accounts in accordance with the Uniform System of Accounts and continue to keep its practices in accordance with the Rule Regulating the Service of Electric Utilities, in accordance with the Commission requirements.

This Decision and Order is effective forthwith.

DONE IN OPEN MEETING the 3rd day of August 1988.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

COMMISSIONER RONALD L. LEHR ABSENT.