

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE REMAND OF HOME)	
BUILDERS ASSOCIATION OF DENVER V.)	
PUBLIC UTILITIES COMMISSION OF THE)	APPLICATION NO. 32602-Reopened
STATE OF COLORADO AND PUBLIC)	
SERVICE COMPANY OF COLORADO: CIVIL)	DECISION AND ORDER GRANTING
ACTION NO. 82 CV 1747, DIVISION 9,)	MOTION REGARDING ESCHEATED FUNDS
DENVER DISTRICT COURT, CITY AND)	
COUNTY OF DENVER, COLORADO.)	

March 8, 1989

STATEMENT

BY THE COMMISSION:

On February 17, 1989, Public Service Company of Colorado (Public Service) filed a "Motion Regarding Escheated Funds" requesting that the Commission issue an order acknowledging a District Court order regarding payments of escheated refunds and directing Public Service to make those refunds as directed by District Judge Warren O. Martin in an order dated February 7, 1989.

Judge Martin's order of February 7, 1989, indicates that the interested Municipality or County under Article 8 of Title 40, C.R.S., shall be the Municipality or the County in which the development (not the developer) was located and that refunds should be made accordingly. Judge Martin's order also indicates that the Motion of Universal Utilities, Inc., to Intervene and the conditional Motion of the City of Aurora to Intervene have been withdrawn. Accordingly, it appears that all disputes as to the manner in which escheated refund monies are to be refunded have been resolved by Judge Martin's order of February 7, 1989.

The Commission finds that Public Service's motion should be granted and that response time should be waived.

THEREFORE THE COMMISSION ORDERS THAT:

Public Service Company of Colorado is directed to refund the escheated funds under the provisions of § 40-8-101, C.R.S., as stated in the Order of Judge Warren O. Martin, District Court Judge, in Case No. 82 CV 1747, dated February 7, 1989, and in accordance with Attachment B to the Motion of Public Service Company of Colorado filed with this Commission on February 17, 1989. Response time to the Motion is waived.

This Decision is effective immediately.

DONE IN OPEN MEETING the 8th day of March 1989.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

James H. Cook

Andre Schmidt

Ronald L. Lehn

Commissioners

JEA:srs:7862J