

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

| | | |
|----------------------------------|---|-------------------------------|
| THE APPLICATION OF CENTEL |) | |
| CORPORATION FOR A CERTIFICATE OF |) | DOCKET NO. 90A-648EF |
| PUBLIC CONVENIENCE AND NECESSITY |) | |
| TO EXERCISE FRANCHISE RIGHTS |) | DECISION GRANTING APPLICATION |
| IN THE CITY AND TOWN OF VICTOR, |) | TO EXERCISE FRANCHISE RIGHTS |
| TELLER COUNTY, COLORADO. |) | |

November 28, 1990

STATEMENT, FINDINGS OF FACT, AND CONCLUSIONS

BY THE COMMISSION:

On October 16, 1990, Centel Corporation (Centel) filed Docket No. 90A-648EF for an order granting it a Certificate of Public Convenience and Necessity to Exercise Franchise Rights in the City of Victor in Teller County, Colorado.

Notice of the Application was given by the Commission on October 19, 1990, in accordance with § 40-6-108(2), C.R.S. No protests, objections, or petitions to intervene or otherwise participate have been filed to date. Accordingly, the Application is not contested and is unopposed, and under § 40-6-109(5), C.R.S., and Rule 24 of the Commission's Rules of Practice and Procedure properly may be determined without the necessity of a formal oral hearing.

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. Centel sells the energy for light, heat, power, and all other purposes either directly to consumers or wholesale to other public utilities for distribution and sale to consumers.

Centel is a corporation organized and existing under the laws of Kansas and is authorized to do business as a public utility in the State of Colorado.

The steam power plants at Pueblo, Canon City, and Rocky Ford are all interconnected by transmission lines and, together with the transmission and distribution lines, emanating and branching therefrom, for many years past have been owned and operated by Centel and its predecessors in title. Among the communities which are, and for many years past have been, served by Centel's system, is the City of Victor, a statutory city in the County of Teller, and the inhabitants of Victor, together with the inhabitants of the surrounding area. Victor has a population of approximately 276 people, and Centel serves 260 customers in Victor. In addition, Victor, is served with electrical energy by Centel alone. No other public utility has any plant or facilities for the generation of electrical energy or any line or lines for the transmission or distribution of electrical energy in Victor. The inhabitants of Victor have no means of securing electrical service except through and by means of Centel's plants and lines.

The public convenience and necessity of Victor and its inhabitants require the granting and exercise of the franchise rights set out in the ordinance referred to below, and the continued maintenance and operation of its facilities, lines, plant, and system, and the extension thereof is needed to supply electrical energy for light, heating, power, and all other purposes to Victor and its inhabitants.

On July 17, 1990, Victor, in accordance with applicable Colorado Statutes and ordinances, adopted Ordinance No. 323 granting to Centel a franchise for electric light, heating, power, and other purposes in Victor. Centel filed its written acceptance of the ordinance with the Clerk of Victor on August 7, 1990. There is no other person, corporation, or municipality operating in, or supplying electrical energy, as a public utility, for light, power, heating, or other purposes in Victor. Centel will not compete with any other public utility in furnishing electricity in Victor or in the area adjacent thereto.

Centel has the financial ability and is qualified and competent to conduct the utility operations sought in its Application.

THEREFORE THE COMMISSION ORDERS THAT:

Centel Corporation is granted a Certificate of Public Convenience and Necessity to Exercise Franchise Rights in the Town of Victor, Teller County, Colorado, in accordance with Ordinance No. 323 dated July 17, 1990.

This Decision is effective immediately.

DONE IN OPEN MEETING November 28, 1990.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Carmel H. Cook
Ronald L. Leh
Larry J. Nakas
Commissioners

1026Z:BMW:srs