

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

THE APPLICATION OF PUBLIC SERVICE	)	
COMPANY OF COLORADO FOR AN ORDER	)	DOCKET NO. 94A-284F
GRANTING TO IT A CERTIFICATE OF	)	
PUBLIC CONVENIENCE AND NECESSITY	)	DECISION GRANTING
TO EXERCISE FRANCHISE RIGHTS IN THE	)	APPLICATION TO EXERCISE
CITY OF BOULDER, COLORADO.	)	FRANCHISE RIGHTS

- - - - -  
Mailed Date: June 27, 1994  
Adopted Date: June 22, 1994  
- - - - -

STATEMENT, FINDINGS, AND CONCLUSIONS

BY THE COMMISSION:

On May 27, 1994, Public Service Company of Colorado ("Public Service") filed Docket No. 94A-284F, seeking a Commission order granting to it a certificate of public convenience and necessity to exercise franchise rights in the City of Boulder, Colorado.

Notice of the application was given by the Commission on June 1, 1994, to all interested persons, firms, and corporations. No motions to intervene or protests have been filed to date, and the application is unopposed and uncontested. Accordingly, the application may be determined without the necessity of a formal oral hearing, in accordance with § 40-6-109(5), C.R.S. (1993), and Rule 24 of the Commission's Rules of Practice and Procedure.

Public Service is a Colorado corporation operating as a public utility subject to the jurisdiction of the Commission and is engaged in, inter alia, the generation, transmission, purchase, distribution, and sale of electricity and the purchase, distribution, transportation, and sale of natural gas in various areas in the State of Colorado. All operations to be conducted by Public Service under the certificate of public convenience and necessity sought in its application shall be under the name of Public Service Company of Colorado.

Public Service requests that the Commission issue an order granting to it a certificate of public convenience and necessity to exercise franchise rights in the City of Boulder, Colorado, in accordance with Ordinance No. 5569 passed and adopted by the City Council of the City of Boulder on September 7, 1993, and approved by the electorate of the city on November 2, 1993.

The franchise is granted for a term of 20 years expiring August 3, 2010, at a rate of 3 percent of revenues from the sale of gas and electricity within the city.

Public Service has been providing gas and electric service to Boulder and its inhabitants pursuant to the terms and conditions of a gas and electric franchise granted by Ordinance No. 3595 adopted on August 4, 1970. Authority to operate under the franchise was granted by the Commission in Decision No. 76368 issued December 2, 1970, in Application No. 24566.

Public Service seeks in its application to continue the gas and electric service for the benefit of its customers in Boulder, the continuation of which will serve the public interest. The public convenience and necessity require granting approval for the exercise of franchise rights granted by Boulder.

Public Service's tariffs under Colorado P.U.C. No. 6 Electric and Colorado P.U.C. No. 5 Gas, currently on file with the Commission, will be used for service under the application.

Public Service has the financial ability and is qualified and competent to conduct the utility operations sought under its application.

Staff has reviewed the instant filing, and has recommended to the Commission that this application be deemed complete, and that the application be granted. Therefore, being duly advised, the Commission deems the application complete and concludes that the application is in the public interest and should be granted.

THEREFORE THE COMMISSION ORDERS THAT:

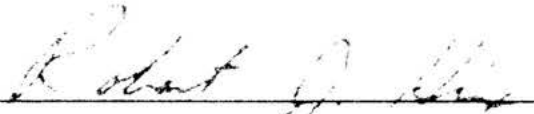
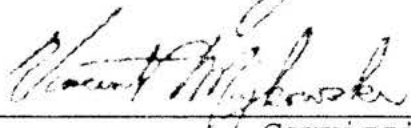
1. This application filed by Public Service Company of Colorado on May 27, 1994, is deemed complete as of the Mailed Date of this Decision.

2. Public Service Company of Colorado is authorized to exercise franchise rights in the City of Boulder, Colorado, in accordance with Ordinance No. 5569 passed and adopted by the City Council of the City of Boulder on September 7, 1993, and approved by the electorate of the city on November 2, 1993. This Decision shall be a certificate of public convenience and necessity therefor.

This Decision is effective on its Mailed Date.

ADOPTED IN OPEN MEETING June 22, 1994.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
\_\_\_\_\_  
  
\_\_\_\_\_  
Commissioners

COMMISSIONER CHRISTINE E. M. ALVAREZ  
ABSENT.

T:srs