

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

HOME BUILDERS ASSOCIATION OF)
METROPOLITAN DENVER, et al.)

Complainants,)

CASE NO. 5921

vs.)

PUBLIC SERVICE COMPANY OF)
COLORADO,)

Respondent.)

IN THE MATTER OF THE APPLICATION OF)
PUBLIC SERVICE COMPANY OF COLORADO)
FOR AN ORDER AUTHORIZING IT TO)
REVISE THE EXTENSION POLICY)
INCLUDED IN ITS PUC NO. 5-ELECTRIC)
TARIFF.)

APPLICATION NO. 32602

ORDER OF THE COMMISSION
GRANTING IN PART AND
DENYING IN PART MOTIONS
FILED IN CAPTIONED MATTERS

June 10, 1980

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On February 28, 1980, Public Service Company of Colorado (hereinafter Public Service) filed Application No. 32602, wherein it seeks permission to file revisions in its electric extension policy provisions. Said application addresses itself to serve laterals and distribution extensions, including street lighting service and the costs of the same, including customer payments and refunds of such payments where appropriate.

On April 11, 1980, The Home Builders Association of Metropolitan Denver (hereinafter HBA) filed a complaint against Public Service wherein it raises issues relating to:

1. construction advances;
2. construction deposits;
3. natural gas validation;
4. construction during periods of frost;
5. non-payment of interest on advances and deposits;
6. payment by builders/developers of annual interest or alleged ongoing ownership costs;
7. terms and conditions of refunds with respect to advances or deposits for gas and electric main, extensions, laterals and other facilities used to provide gas and electric service;

8. electric tariff sheet nos. R42-R63;
9. gas tariff sheet nos. R3A-R3F;
10. any and all policies (written or unwritten) regarding the Company's tariffs;
11. contracts required by the Company in connection with the extension of gas and electric service and charges (and refunds) related thereto; and
12. natural gas attachment scheduling policy.

Thereafter, the following pleadings were filed:

1. Motion to Consolidate and Request for Hearing by the Commission En Banc, filed on April 30, 1980, by HBA;
2. Motion to Dismiss Complaint in Part; Motion for Extension of Time to Answer Remainder of Complaint; Response to Complainants' Motion to Consolidate and Request for Hearing by the Commission En Banc; filed May 6, 1980, by Public Service;
3. Response to Motion to Consolidate and Request for Hearing by the Commission En Banc, filed on May 7, 1980 by Public Service; and
4. Response to Motion of Respondent to Dismiss Complaint in Part and for other Relief, filed May 19, 1980 by HBA.

The Commission states and finds that in the interests of administrative economy, it would be in the public interest to consolidate Application No. 32602 and Case No. 5921 for hearing. However (in view of the heavy hearing schedule of the Commissioners), the request that the Commission en banc hear the foregoing consolidated matters will be denied.

Likewise, the Motion of Public Service to Dismiss the Complaint in Case No. 5921 in part will be denied, sufficient reasons not having been set forth for the granting of that Motion. Public Service hereinafter will be ordered to answer the complaint in Case No. 5921 within ten days after the effective date of the order herein.

An appropriate order will be entered.

O R D E R

THE COMMISSION ORDERS THAT:

1. Application No. 32602 and Case No. 5921 be, and the same hereby are, consolidated for hearing with the issuance of an initial recommended decision therein.
2. The request by The Home Builders Association of Metropolitan Denver that the Commission, en banc, hear Application No. 32602 and Case No. 5921 be, and hereby is, denied.
3. Public Service Company of Colorado shall file its Answer to the Complaint in Case No. 5921 within ten (10) days of the effective date of this Order.

4. This Order shall be effective forthwith.

DONE IN OPEN MEETING the 10th day of June, 1980.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Edythe S. Keller

Daniel E. Innes

L. Duane Woodard

Commissioners