

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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| THE APPLICATION OF PUBLIC SERVICE )   |                               |
| COMPANY OF COLORADO FOR AN ORDER )    | DOCKET NO. 91A-270F           |
| GRANTING TO IT A CERTIFICATE OF )     |                               |
| PUBLIC CONVENIENCE AND NECESSITY )    | DECISION GRANTING APPLICATION |
| TO EXERCISE FRANCHISE RIGHTS IN THE ) | TO EXERCISE FRANCHISE RIGHTS  |
| TOWN OF DE BEQUE, COLORADO. )         |                               |

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April 24, 1991  
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STATEMENT, FINDINGS OF FACT, AND CONCLUSIONS

BY THE COMMISSION:

On March 29, 1991, Public Service Company of Colorado (Public Service), filed Docket No. 91A-270F seeking a Commission order granting to it a Certificate of Public Convenience and Necessity to Exercise Franchise Rights in the Town of De Beque, Colorado. Notice of the application was given by the Commission on April 3, 1991, 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., 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 conducted under the name of Public Service.

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 Town of De Beque, Colorado, in accordance with Ordinance No. 177 passed and adopted by the Board of Trustees of De Beque on June 12, 1990.

The franchise is granted for a term of 25 years expiring July 22, 2015, at a rate of three percent of revenues for gas sales and transportation equivalent and from the sale of electricity within the Town.

Public Service has been providing gas and electric service to De Beque and the inhabitants pursuant to the terms and conditions of an gas and electric franchise granted by Ordinance No. 2-1969 adopted on September 22, 1969. Authority to operate under the franchise was granted by the Commission in Decision No. C81-1328 issued July 28, 1981, in Application No. 34010.

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

Public Service obtains natural gas, through sale and transportation, for service under the franchise from Western Gas Supply Company, an intrastate natural gas pipeline company under the jurisdiction of the Commission and a wholly-owned subsidiary of Public Service, and from Colorado Interstate Gas Company, an interstate natural gas pipeline company under the jurisdiction of the Federal Energy Regulatory Commission. Public Service obtains electricity for service under the franchise from its own electric generation facilities and from various power purchase agreements and transmits it to De Beque through its interconnected electric system. Public Service's tariffs under Colorado P.U.C. No. 5 Gas and Colorado P.U.C. No. 6 Electric, 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.

The Commission based upon its review of the application, and being fully advised in the premises, concludes that the application is in the public interest and should be granted.

THEREFORE THE COMMISSION ORDERS THAT:

Public Service Company of Colorado is authorized to exercise franchise rights in the Town of De Buque, Colorado, in accordance with Ordinance No. 177, passed and adopted by the Board of Trustees, of De Beque on June 12, 1990. This Decision shall be a certificate of public convenience and necessity therefor.

This Order is effective immediately.

DONE IN OPEN MEETING April 24, 1991.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Amos H. Cook

Larry J. Nakarado

Christine E. M. Alvar  
Commissioners

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