

Decision No. C03-0185

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO**

DOCKET NO. 02R-173W

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IN THE MATTER OF THE PROPOSED REPEAL AND REENACTMENT OF THE RULES  
REGULATING WATER UTILITIES, 4 CCR 723-5.

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DOCKET NO. 02R-596TR

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IN THE MATTER OF THE PROPOSED REPEAL AND REENACTMENT OF ALL RULES  
REGULATING TRANSPORTATION BY MOTOR VEHICLE, AS FOUND IN 4 CCR 723-6,  
723-9, 723-15, 723-23, 723-31, AND 723-33, FOR ULTIMATE RECODIFICATION AS 723-6.

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**NOTICE OF TERMINATION  
OF RULEMAKING PROCEEDINGS**

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Mailed Date: February 19, 2003

Adopted Date: February 12, 2003

**I. BY THE COMMISSION**

**A. Statement**

1. The above-referenced dockets concern the Commission's proposals to modify existing rules. Specifically, by prior orders issuing Notices of Proposed Rulemaking (NOPR) the Commission opened these dockets to consider modification of the Rules Regulating the Service of Water Utilities, 4 CCR 723-5, and various rules regulating transportation by motor vehicle carriers, 4 CCR 723-6, 4 CCR 723-9, 4 CCR 723-15, 4 CCR 723-23, 4 CCR 723-31, and 4 CCR 723-33. Pursuant to those NOPRs, Administrative Law Judges for the Commission have conducted a number of hearings to take comment on the proposed rules.

2. By separate order in Docket Nos. 02R-041ALL, 02R-196G, 02R-238EG, and 92R-279E, we terminated other pending rulemaking dockets in response to a Joint Motion to

terminate those proceedings. *See* Decision No. C03-0184. The rules proposed in the now terminated dockets were related to proposed rules in the instant proceedings. For example, Docket No. 02R-041ALL concerned proposed repeal of existing Commission rules of practice and procedure and adoption of new rules on these subjects. Those proposals would affect some of the rules proposed for adoption in the instant dockets.

3. In light of our decision to terminate the rulemaking proceedings in Docket Nos. 02R-041ALL, 02R-196G, 02R-238EG, and 02R-279E, on our own motion we now terminate these two rulemaking dockets. Given the relationship between the proposed rules in all of these proceedings, it is necessary to coordinate consideration of further proposed rules in all these matters.

4. As stated in Decision No. C03-0184, Commission Staff will conduct a number of informal meetings with interested persons prior to issuance of any new NOPRs. The Director of the Commission will be sending a letter to interested persons setting forth the schedule for those informal meetings on the various rules. That letter will also explain the procedure Staff intends to follow in the informal meetings. Interested persons should participate in the informal meetings if they want to provide input in discussion with Staff, prior to the issuance of new NOPRs. After those meetings are concluded, the Commission intends to issue new NOPRs to revise the rules listed above.

## **II. ORDER**

### **A. The Commission Orders That:**

1. Rulemaking Docket Nos. 02R-173W and 02R-596TR are terminated. All presently scheduled hearings and procedural requirements (*e.g.* due dates for written comments) in these dockets are vacated.

2. This Notice of Termination of Rulemaking Proceedings shall be filed with the Secretary of State for publication in the March 2003 edition of *The Colorado Register*.

3. This Order is effective immediately upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
FEBRUARY 12, 2003.**

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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Commissioners