

Decision No. C04-0073

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

DOCKET NO. 01F-071G

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HOME BUILDERS ASSOCIATION OF METROPOLITAN DENVER,

COMPLAINANT,

V.

PUBLIC SERVICE COMPANY OF COLORADO,

RESPONDENT.

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**ORDER GRANTING MOTION TO FILE  
REPARATIONS PLAN TWO DAYS OUT-OF-TIME**

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Mailed Date: January 20, 2004  
Adopted Date: January 14, 2004

**I. BY THE COMMISSION**

**A. Statement**

1. This matter comes before the Commission for consideration of a motion by Public Service Company of Colorado (Public Service) for leave to file its Reparation Plan in this docket two days out-of-time, or by January 14 2003. Public Service also requests that response time be waived.

2. In Decision No. C03-1093, we ordered Public Service to file its Reparation Plan 30 days after Home Builders Association of Metropolitan Denver (HBA) filed its affidavit attesting to its list of affected members and a description of applicable service extension locations for each member for the period in which reparations were granted. However, in Decision No. C03-1292, we granted HBA's request for clarification that the reparations we ordered applied to small commercial and industrial developments as well as residential

developers. In addition, we granted HBA an additional three weeks in which to make its filing. HBA filed its supplement to its original affidavit on December 11, 2003, which required that Public Service file its reparation plan by the close of business on January 12, 2004.

3. Public Service represents that given the size of HBA's filing, which contains claim forms with information concerning gas extensions submitted by 68 different home builders and developers, it requires additional time to finalize and complete the plan. Public Service further represents that it has encountered some unanticipated difficulties in developing its Reparation Plan, and therefore needs an additional two days, or until January 14, 2004 within which to complete and submit its Reparations Plan.

4. Public Service also represents that it has spoken to counsel for HBA and is authorized to represent that HBA does not oppose Public Service's motion.

5. We find that Public Service states good cause and grant its motion. We further waive response time to the motion.

## **II. ORDER**

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

1. The motion of Public Service Company of Colorado for leave to file its Reparations Plan two days out of time, to the close of business on January 14, 2004 is granted.

2. Response time to the motion is waived.

3. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
January 14, 2004.**

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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Commissioners

CHAIRMAN GREGORY E. SOPKIN  
RECUSED HIMSELF.