

Decision No. C04-0209

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 01F-071G

HOME BUILDERS ASSOCIATION OF METROPOLITAN DENVER,

COMPLAINANT,

V.

PUBLIC SERVICE COMPANY OF COLORADO,

RESPONDENT.

ORDER GRANTING JOINT MOTION

Mailed Date: March 1, 2004
Adopted Date: February 25, 2004

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of a Joint Motion to Suspend Procedural Schedule filed by Home Builders Association of Metropolitan Denver (HBA), Complainant, on behalf of itself and Public Service Company of Colorado (Public Service), Respondent (collectively, the Parties), filed February 18, 2004.

2. The Parties indicate they have reached an agreement in principle that resolves all remaining issues in this docket. As a result, the Parties move the Commission to suspend the procedural schedule in this case pending the execution of a written agreement that memorializes the agreement in principle. According to the Parties, it is anticipated that an agreement that

resolves all issues raised here and in a related docket¹ will be made via joint filing within two weeks of the filing date of the joint motion.

3. We find the Parties state good cause to grant the joint motion to suspend the procedural schedule in this docket. We applaud the efforts of HBA and Public Service to come to an agreement to resolve the issues raised here. However, we point out that this matter has been before us for approximately three years. As such, we order that the Parties work to reduce their agreement in principle and file an agreement with this Commission no later than the close of business on March 10, 2004.

II. ORDER

A. The Commission Orders That:

1. The Joint Motion to Suspend Procedural Schedule filed by Home Builders Association of Metropolitan Denver and Public Service Company of Colorado is granted.

2. The Parties shall file their Settlement Agreement with the Commission no later than March 10, 2004.

3. The 20-day time period provided by § 40-6-114(1), C.R.S., to file an application for rehearing, reargument, or reconsideration shall begin on the first day after the Mailed Date of this Order.

4. This Order is effective on its Mailed Date.

¹ Docket No. 02F-434G *Melody Homes v. Public Service Company of Colorado*.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
February 25, 2004.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners