

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 03A-436E

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF
COLORADO FOR AN ORDER AUTHORIZING IT TO IMPLEMENT A PURCHASED
CAPACITY COST ADJUSTMENT RIDER IN ITS PUC NO. 7 – ELECTRIC TARIFF.

**ORDER GRANTING MOTION AND
MODIFYING PROCEDURAL SCHEDULE**

Mailed Date: March 11, 2004
Adopted Date: March 10, 2004

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of Public Service Company of Colorado's (Public Service or Company) Motion for Change in Deadline to File Rebuttal Testimony filed on March 2, 2004. In its motion, Public Service requests that the deadline for filing Rebuttal Testimony be extended from March 26, 2004 to April 5, 2004. Public Service points out that the Commission extended the deadline for filing Answer Testimony to March 15, 2004. *See* Decision No. C04-0203. Public Service contends that 11 days is an insufficient time for the Company to respond to issues raised in Answer Testimony on the Purchased Capacity Cost Adjustment. Public Service also requests that discovery cut-off dates be realigned to correspond to testimony filing dates.

2. On March 3, 2004, Staff of the Commission (Staff) filed a response to the motion. Staff states that it does not object to Public Service's request to extend the filing date for Rebuttal Testimony. Staff requests that the Commission shorten response to discovery on Rebuttal

Testimony from five days to three days because Public Service has agreed to that reduction contingent on Staff not objecting to the motion.

3. Now being duly advised, we grant Public Service's motion and extend the date for filing Rebuttal Testimony to April 5, 2004. Even though no party has requested an extension, we nonetheless, on our own motion, extend the date for filing Cross-answer Testimony to April 5, 2004. We modify the discovery cut-off dates for Direct Testimony and Supplemental Direct Testimony to March 15, 2004; for Answer Testimony to April 5, 2004; and for Rebuttal and Cross-answer Testimony to April 12, 2004. We also shorten the time to respond or object to discovery for Rebuttal and Cross-Answer Testimony to three calendar days.

II. ORDER

A. The Commission Orders That:

1. Public Service Company of Colorado's Motion for Change in Deadline to File Rebuttal Testimony is granted.

2. The procedural schedule for this matter is modified consistent with the discussion above.

3. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
March 10, 2004.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners