

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

DOCKET NO. 04A-050E

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IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF  
COLORADO FOR A REVIEW OF ITS ELECTRIC COMMODITY TRADING OPERATIONS.

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**NOTICE OF HEARING AND PROCEDURAL ORDER**

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Mailed Date: April 30, 2004  
Adopted Date: March 31, 2004

**I. BY THE COMMISSION**

**A. Statement**

1. This matter concerns the application for review of the electric commodity operations of Public Service Company of Colorado (Public Service). We conducted the prehearing conference in this matter on March 31, 2004. At that time, the parties appeared and agreed to the following procedural and hearing schedule, which we now adopt:

2. Staff of the Commission and the Colorado Office of Consumer Counsel shall provide their consultant's report to Public Service on or before June 18, 2004.

3. Intervenors shall file their Answer Testimony on or before July 8, 2004.<sup>1</sup>

4. Public Service shall file its Rebuttal Testimony on or before August 11, 2004. Intervenors shall file Cross-Answer Testimony, if any, on this same date.

5. Statements of Position shall be filed 14 days after the last day of hearing.

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<sup>1</sup> Public Service filed its direct testimony with its application.

6. Cut-off dates for discovery shall be July 8, 2004 for discovery directed to Public Service's Direct Testimony; August 11, 2004 for discovery directed to Intervenor's Answer Testimony; and August 31, 2004 for discovery directed to Rebuttal and Cross-Answer Testimony.

7. The discovery provisions in the Commission's Rules of Practice and Procedure, 4 *Code of Colorado Regulations* 723-1 (e.g., for response time to written discovery) shall apply, except that response time to written discovery served after August 11, 2004 shall be seven days. Discovery disputes shall be heard by an Administrative Law Judge.

8. Hearings shall begin on September 7, 2004 and continue, as necessary, as specified below.

9. Holy Cross Energy (Holy Cross) filed its Petition for Leave to Intervene on February 25, 2004. On February 27, 2004, Holy Cross and Public Service filed a Stipulation proposing that Holy Cross be granted limited intervention in accordance with the provisions of the Stipulation. Now being duly advised in the premises, we grant the Petition for Leave to Intervene by Holy Cross subject to the Stipulation between Holy Cross and Public Service.

## **II. ORDER**

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

1. The Petition for Leave to Intervene by Holy Cross Energy is granted subject to the terms of the February 27, 2004 Stipulation between Holy Cross Energy and Public Service Company of Colorado.

2. The procedural schedule discussed above is adopted.

3. The Commission shall conduct a hearing in this matter as follows:

DATES: September 7, 2004, continuing as necessary on September 8 through 10, and 13 through 14, 2004

TIME: 9:00 a.m.

PLACE: Colorado Public Utilities Commission  
Hearing Room A  
1580 Logan Street, OL2  
Denver, Colorado

4. This Order is effective on its Mailed Date.

**B. ADOPTED AT PREHEARING CONFERENCE  
March 31, 2004.**

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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Commissioners