

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04A-214E

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF
COLORADO FOR APPROVAL OF ITS 2003 LEAST-COST RESOURCE PLAN.

**ORDER DENYING MOTION TO EXPAND
ISSUES TO BE ADDRESSED AT PREHEARING
CONFERENCE, AND SHORTENING RESPONSE
TIME FOR MOTION TO CONSOLIDATE**

Mailed Date: June 16, 2004
Adopted Date: June 16, 2004

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of the Motion to Expand Issues to be Addressed at Prehearing Conference, and response time to the Motion to Consolidate, filed by Public Service Company of Colorado (Company). Now being duly advised in the matters, we deny the Motion to Expand Issues and shorten the response time to the Motion to Consolidate.

2. By Decision No. C04-0548 (Mailed Date of May 26, 2004) we set a prehearing conference in this docket for the limited purpose of determining an appropriate procedural schedule to consider the Company's request for expedited consideration of its Renewable Energy Request for Proposal. The prehearing conference is set for June 18, 2004. The Company's Motion, filed on June 11, 2004, requests that we expand the purpose of the prehearing conference to consider other issues, including issues related to Docket Nos. 04A-215E and 04A-216E. We note that the Company's Motion, filed 16 days after the order setting the prehearing

conference in Docket No. 04A-214E and only 7 days prior to the prehearing conference, was not filed in time for the Commission to provide adequate notice to other parties. In order to expand the issues to be considered at the prehearing conference to include matters in other dockets (*i.e.*, Docket Nos. 04A-215E and 04A-216E), the Commission is required to issue *timely* orders in those other dockets. Such orders are required to give proper notice to the parties, not only in this docket, but also in Docket Nos. 04A-215E and 04A-216E. We conclude that granting the Motion at this time would not allow for adequate notice to interested parties in these dockets. As such, the Motion to Expand Issues to be Addressed at Prehearing Conference is denied, and response time is waived.

3. In order to allow for timely consideration of the Company's application, we direct that response time to the Motion to Consolidate be shortened to noon on June 21, 2004.

II. ORDER

A. The Commission Orders That:

1. Response time to the Motion to Expand Issues to be Addressed at Prehearing Conference by Public Service Company of Colorado is waived.

2. The Motion to Expand Issues to be Addressed at Prehearing Conference by Public Service Company of Colorado is denied.

3. Responses to the Motion to Consolidate shall be filed by noon June 21, 2004, consistent with the above discussion.

4. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
June 16, 2004.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER POLLY PAGE ABSENT.