

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 95A-531EG

THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR COMMISSION AUTHORIZATION: (1) TO MERGE WITH THE SOUTHWESTERN PUBLIC SERVICE COMPANY THROUGH THE FORMATION OF A REGISTERED PUBLIC UTILITY HOLDING COMPANY; AND FOR ISSUANCE OF SECURITIES IN CONJUNCTION THEREWITH; AND (2) TO IMPLEMENT A FIVE-YEAR REGULATORY PLAN WHICH INCLUDES AN EARNINGS SHARING MECHANISM; FOR ESTABLISHMENT OF A PROCEDURAL SCHEDULE; AND FOR SUCH OTHER RELIEF AS MAY BE APPROPRIATE OR NECESSARY.

**ORDER GRANTING EXTENSIONS OF
TIME AND WAIVING RESPONSE TIME**

Mailed Date: June 25, 2004
Adopted Date: June 22, 2004

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of the Motion for Enlargement of Time Within Which to Verify Public Service Company of Colorado's Calculations of Bill Credits and to File the Balance of Staff's Verification Report, Request for an Order Regarding Treatment of Certain Exclusion, and Request for a Waiver of Response Time (Motion) filed on June 21, 2004 by Staff of the Colorado Public Utilities Commission (Staff).

2. Within the Motion, Staff seeks three separate extensions of time. The first is for a nine-day extension within in which to file a portion of Staff's verification report regarding Public Service Company of Colorado's (Public Service) calculation of bill credits. The second extension is to allow Staff until July 30, 2004 in which to file the remainder of its verification report. The third extension is to allow Staff until August 5, 2004 to review and provide a written

response to the three requested exclusions Public Service included in its May 21, 2004 Quality of Service Plan (QSP) filing.

3. Under Staff's Motion, the Colorado Office of Consumer Counsel (OCC) would have until June 30, 2004 in which to determine whether it would file any protest and request for hearing it may have with respect to the QSP filing, and would also have until August 5, 2004 in which to provide any written response to the three requested exclusions.

4. Staff states that it has contacted counsel for both Public Service and the OCC and they do not oppose the Motion, and therefore waiver of response time is appropriate.

B. Findings

5. Staff states in its Motion that the need for the extensions of time is due to the fact that the Staff member assigned to review the QSP filings is busy with other dockets and that the information regarding electric service unavailability covers both 2002 and 2003.

6. Staff further states in its Motion that, if the extensions are granted, the bill credits which are scheduled to start with the July billing cycle will not be impacted, because according to workpapers provided by Public Service it has already reached the maximum potential bill credits that it is required to make in 2003 for electric service unavailability.

C. Conclusions

7. We find good cause to grant the Motion and to waive response time.

II. ORDER

A. The Commission Orders That:

1. The Motion for Enlargement of Time Within Which to Verify Public Service Company of Colorado's Calculations of Bill Credits and to File the Balance of Staff's

Verification Report, Request for an Order Regarding Treatment of Certain Exclusion, and Request for a Waiver of Response Time filed by Staff of the Colorado Public Utilities Commission is granted consistent with the discussion above.

2. Response time to the motion is waived.
3. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
June 22, 2004.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners