

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04A-325E

IN THE MATTER OF THE RENEWABLE ENERGY REQUEST FOR PROPOSALS
PORTION OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO
FOR APPROVAL OF ITS 2003 LEAST-COST RESOURCE PLAN.

**ORDER GRANTING MOTION FOR
EXPEDITED HEARING ON THE
RENEWABLE ENERGY RFP,
ESTABLISHING SEPARATE
DOCKET, GRANTING INTERVENTIONS,
REQUIRING ADDITIONAL TESTIMONY,
ESTABLISHING REPORTING REQUIREMENT,
AND SETTING PROCEDURAL SCHEDULE**

Mailed Date: July 6, 2004
Adopted Date: June 18, 2004

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of the Motion of Public Service Company of Colorado (Public Service or Company) for Expedited Approval of the Renewable Energy Request for Proposals (RFP) filed on May 25, 2004 (Motion) in Docket No. 04A-214E. Within the Motion, Public Service provides a suggested procedural schedule which would accommodate an oral determination in this case at a Commissioners' Weekly Meeting no later than July 14, 2004.

2. By Decision No. C04-0548 in Docket No. 04A-214E, we shortened response time to the Motion to June 15, 2004. We conducted a prehearing conference in Docket No. 04A-214E on June 18, 2004, in order to consider the Company's request for an expedited administratively

final decision and to establish a procedural schedule which could accommodate expedited consideration of the Renewable Energy RFP.

3. Although Public Service believes we can approve the expedited Renewable Energy RFP within Docket No. 04A-214E, we find it necessary to create a separate docket in order to issue an administratively final decision on the RFP before a final decision is issued in Docket No 04A-214E.

4. In order to allow for timely consideration of the Company's Renewable Energy RFP, we grant Public Service's motion for expedited approval of the RFP and establish a new docket to consider this proposal separate from the remaining proposals in Docket No. 04A-214E. The Commission will place the following documents from Docket No. 04A-214E into this docket's record: Volume 2 of 4 of Public Service's 2003 Least Cost Plan (LCP), as amended by the direct testimony of Mr. James Hill; a copy of the LCP application filed by Public Service; and the supplement to the application filed on June 4, 2004.

5. At the prehearing conference, all of the parties who had intervenor status in 04A-214E expressed an interest in being intervenors in this new docket. As a result, the Commission grants intervenor status in this docket to all parties in Docket No. 04A-214E. Public Service is directed to provide to the parties in this case a service list, including e-mail addresses, if available, of all parties from Docket No. 04A-214E. In order to facilitate the expedited schedule in this case, all parties shall provide service electronically to other parties if possible, in lieu of paper filings. However, filings with the Commission shall be in paper format and in accordance with our Rules of Practice and Procedure, 4 *Code of Colorado Regulations* 723-1.

6. The scope of this docket is governed by Rules 3600-3615 (LCP Rules). In the LCP Rules, there exists criteria in Rule 3610(f) where a utility is directed to select resources that minimize the net present value of rate impacts, and to grant a preference to renewable resources where cost and reliability considerations are equal. Furthermore, LCP Rule 3612 discusses RFP purposes and contents. All testimony shall be limited to considerations that apply according to the LCP Rules. The Commission will entertain motions to strike testimony or exhibits that fall outside the scope of this docket.

7. As stated above, the following documents shall be included in the record in this docket: Volume 2 of 4 of Public Service's 2003 LCP, as amended by the direct testimony of Mr. James Hill; the LCP application filed by Public Service; and the supplement to the application filed on June 4, 2004.

8. The procedural schedule is as follows: Answer testimony shall be filed on or before July 23, 2004; and rebuttal and cross-answer testimony on or before August 2, 2004. Hearings will be held on August 4, 2004, and continued if necessary on August 6, 2004.

9. Discovery response time shall be ten calendar days through July 22, 2004; and three business days for discovery served on or after July 23, 2004, but if discovery is served on a Friday (on or after July 23, 2004) the response is due the following Tuesday. The discovery cutoff date shall be July 30, 2004. An Administrative Law Judge will address all discovery disputes.

10. In order to keep the parties and the Commission updated on the status of the possible extension of the production tax credit, Public Service is directed to file reports with the

Commission on July 2, 16, and 30, 2004, on the current status of the production tax credit bill in Congress.

II. ORDER

A. The Commission Orders That:

1. The Motion for Expedited Approval of the Renewable Energy Request for Proposals filed by Public Service Company of Colorado is granted, consistent with the above discussion. This docket is opened for the purposes discussed above.

2. Intervenors in Docket No. 04A-214E are granted intervenor status in this docket.

3. Public Service Company of Colorado shall provide to parties a service list, including e-mail addresses, if available, of all parties in Docket No. 04A-214E within seven business days of the Mailed Date of this Decision.

4. Parties shall provide service electronically to other parties if possible, in lieu of paper filings.

5. Discovery response time shall be ten calendar days through July 22, 2004; and three business days for discovery served on or after July 23, 2004, but if discovery is served on a Friday (on or after July 23, 2004) the response is due the following Tuesday. The discovery cutoff date shall be July 30, 2004. An Administrative Law Judge will address all discovery disputes.

6. Answer testimony shall be filed on or before July 23, 2004 and rebuttal and cross-answer testimony shall be filed on or before August 2, 2004.

7. A hearing shall be held at the following time(s) and location:

DATE: August 4, 2004, and continued if necessary on August 6, 2004

TIME: 9:00 a.m.

PLACE: Commission Hearing Room A
Office Level 2 (OL2)
Logan Tower
1580 Logan Street
Denver, Colorado

8. Public Service Company of Colorado shall file reports with the Commission on July 2, 16, and 30, 2004, on the current status of the production tax credit bill in Congress.

9. This Order is effective on its Mailed Date.

**B. ADOPTED IN PREHEARING CONFERENCE
June 18, 2004.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER JIM DYER
ABSENT.

