

Decision No. C04-0873

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04I-098E

REGARDING THE INVESTIGATION INTO THE RELIABILITY OF THE ELECTRIC
DISTRIBUTION SYSTEM OF PUBLIC SERVICE COMPANY OF COLORADO.

ORDER GRANTING MOTION FOR EXTENSION OF TIME

Mailed Date: July 29, 2004
Adopted Date: July 27, 2004

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of a Motion for Extension of Time to File Response to the Final Reports of Staff and OCC Regarding the Investigation into the Reliability of Public Service Company of Colorado's Electric Distribution System and for Waiver of Response Time, filed by Public Service Company of Colorado (Public Service) on July 20, 2004.

2. On January 14, 2004, Commission Staff (Staff) and the Colorado Office of Consumer Counsel (OCC) submitted a report concerning the reliability of Public Service's distribution system. On February 17, 2004, Public Service submitted its response to Staff's and OCC's initial report.

3. In Decision No. C04-0237, we opened this investigatory docket to serve as a repository for the reports presented to the Commission regarding the investigation into the reliability of Public Service's distribution system.

4. On June 17, 2004, the Liberty Consulting Group, on behalf of OCC, filed a supplemental report regarding the reliability of Public Service's distribution system. On July 9, 2004, Staff submitted its final report regarding this matter. Public Service requested that it be permitted to file a response to these two reports. The request was made in the form of a letter dated July 2, 2004, addressed to the Executive Director of the Commission.

5. In Decision No. C04-0814, we granted Public Service's request and ordered that it respond to OCC's and Staff's reports on or before July 23, 2004. Public Service now seeks an additional two weeks to August 6, 2004 to respond to the reports. Public Service indicates that by delaying its response to the reports, it is hoping to be able to provide the Commission with preliminary estimates of what it expects to spend on its electric distribution system in 2005.

6. We find good cause to grant Public Service's motion for a two-week extension to the close of business on August 6, 2004 to respond to the Staff and OCC reports. However, we are concerned about Public Service's representation that it intends to provide additional information regarding its 2005 electric distribution system expenditures in its response.

7. Although we applaud Public Service for its willingness to provide additional information, we find that such information could indefinitely extend this docket. A representation by Public Service as to its 2005 electric distribution expenditures would result in an analysis and response by Staff and OCC, and presumably a response in turn by Public Service, and so on. This would, in turn, inevitably result in unnecessary delays.

8. We hold that Public Service's 2005 electric distribution system expenditures are more appropriately addressed at another time. Consequently, to move this docket forward without further delay, we order Public Service to limit its response to the contents of Staff's and OCC's final reports as filed.

II. ORDER

A. The Commission Orders That:

1. Public Service Company of Colorado's motion for extension of time to allow until August 6, 2004 to respond to Commission Staff's and Office of Consumer Counsel's final reports in this docket is granted.

2. Public Service Company of Colorado shall limit its response to the contents of Commission Staff's and Office of Consumer Counsel's reports and shall refrain from providing any specific information on its expenditures for its electric distribution system for 2005.

3. The 20-day time period provided by § 40-6-114(1), C.R.S., to file an application for rehearing, reargument, or reconsideration shall begin on the first day after the Mailed Date of this Order.

4. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
July 27, 2004.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners