

Decision No. C04-1155

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04M-484G

IN THE MATTER OF THE APPLICATION OF KINDER MORGAN, INC. FOR A WAIVER OF THE DATE FOR FILING ITS GAS COST ADJUSTMENT UNDER 4 CCR 723-8-2 AND ITS TARIFF.

**ORDER GRANTING AMENDED APPLICATION
FOR WAIVER OF GCA FILING DATE FOR
THE SOUTHERN COLORADO ARKANSAS
VALLEY AND SOUTHERN COLORADO
WESTERN SLOPE SERVICE AREAS**

Mailed Date: October 7, 2004
Adopted Date: September 29, 2004

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of an application filed by Kinder Morgan, Inc. (KMI), pursuant to 4 *Code of Colorado Regulations* (CCR) 723-8-11, for a waiver of the provisions of 4 CCR 723-8-2, that requires KMI to file its annual Gas Cost Adjustment (GCA) by September 17, 2004, with an effective date of October 1, 2004.

2. According to the language of 4 CCR 723-8-2, KMI is required to file its annual GCA for its Southern Colorado Arkansas Valley and Southern Colorado Western Slope service areas by September 17, 2004, with an effective date of October 1, 2004. The effective date for the GCA filing for KMI's Western Slope and North Central service areas is November 1, 2004, whereas the effective date for the GCA filing for its Southern Colorado Arkansas Valley and Southern Colorado Western Slope service areas is October 1, 2004.

3. KMI points out that it is the only Colorado utility subject to two separate effective dates for its annual GCA due to its separate service areas. KMI states that this dual filing requirement results in inefficiencies in preparing the filings and that a single effective date for all of its annual GCA filings would eliminate these inefficiencies. As a result, KMI requests an extension of time to file its GCA for its Southern Colorado service areas until October 15, 2004, with an effective date of November 1, 2004.

4. Now, being duly advised in the matter, we grant KMI's application for waiver of 4 CCR 723-8-2 and request for extension of time to file its GCA.

II. ORDER

A. The Commission Orders That:

1. The application of Kinder Morgan, Inc. for a waiver of the requirements of 4 *Code of Colorado Regulations* 723-8-2 is granted.

2. The request of Kinder Morgan, Inc. for an extension of time until October 15, 2004 to file its Gas Cost Adjustment for its Southern Colorado Arkansas Valley and Southern Colorado Western Slope service areas, is granted.

3. The effective date of Kinder Morgan, Inc.'s Gas Cost Adjustment for its Southern Colorado Arkansas Valley and Southern Colorado Western Slope service areas shall be November 1, 2004.

4. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
September 29, 2004.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

CHAIRMAN GREGORY E. SOPKIN
ABSENT.