

Decision No. C14-0640

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14V-0504G

PETITION OF SOURCEGAS DISTRIBUTION LLC FOR WAIVER AND VARIANCE OF THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO'S RULE 4412(C)(II)(B)(III) OF THE RULES REGULATING GAS UTILITIES AND PIPELINE OPERATORS AND THE CORRESPONDING PARAGRAPH IN SOURCEGAS DISTRIBUTION'S TARIFF, AND WAIVER OF RESPONSE TIME.

**DECISION GRANTING PETITION FOR
WAIVER OF THE LOW INCOME
RULES INVOLVING PHASE III ELIGIBILITY**

Mailed Date: June 16, 2014
Adopted Date: June 11, 2014

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of a Petition for Waiver and Variance of the Low Income Rules Involving Phase III Eligibility (Petition), filed by SourceGas Distribution LLC (SourceGas Distribution) on May 16, 2014.

2. By Decision No. C12-0824, in proceeding No. 12A-427G on July 20, 2012, the Commission approved SourceGas Distribution's Percentage of Income Payment Plan along with proposed tariffs implementing the program.

3. By its Petition filed on May 16, 2014, SourceGas Distribution seeks to waive Rule 4412(c)(II)(B)(iii) of the Commission's Rules Regulating Gas Utilities and Pipeline Operators, 4 *Code of Colorado Regulations* 723-4, or Phase III of the low-income assistance rules. This rule requires regulated gas utilities to limit the eligibility of low-income customers

to customers that are at or below 185 percent of the federal poverty level for the third and subsequent years of the program.

4. SourceGas Distribution states that the Colorado Department of Human Services (CDHS) has not increased its low-income qualification to 185 percent of the federal poverty level, so the data on customers qualifying for that threshold is difficult and expensive to obtain. Thus, SourceGas Distribution is requesting a waiver of Rule 4412(c)(II)(B)(iii). SourceGas Distribution seeks approval to remain at Phase II eligibility and serve customers below 150 percent of the federal poverty level for the 2014 to 2015 program years and subsequently until CDHS has information regarding customers having income between 150 and 185 percent of the poverty level. SourceGas Distribution also seeks approval to remain at the Phase II program cost recovery level.

5. No party opposes the Petition. We find good cause to grant the Petition and waive Rule 4412(c)(II)(B)(iii).

II. ORDER

A. The Commission Orders That:

1. The Petition for Waiver and Variance of the Low Income Rules Involving Phase III Eligibility, filed by SourceGas Distribution LLC on May 16, 2014, is granted, consistent with the discussion above.

2. The 20-day period provided for in § 40-6-114, C.R.S., within which to file applications for rehearing, reargument, or reconsideration begins on the first day following the effective date of this Decision.

3. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
June 11, 2014.**

(S E A L)



ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads 'Doug Dean'.

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JOSHUA B. EPEL

PAMELA J. PATTON

GLENN A. VAAD

Commissioners