

Decision No. R14-0444-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14M-0095EG

IN THE MATTER OF THE FILING OF ANNUAL REPORTS IN ACCORDANCE WITH RULES 4 CCR 723-3-3006 AND 4 CCR 723-4-4006 BY UTILITIES HOLDING A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE ENERGY SERVICES IN THE STATE OF COLORADO.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
MANA L. JENNINGS-FADER
GRANTING REQUEST, SUBJECT TO
CONDITION; GRANTING EXTENSION OF
TIME TO FILE ANNUAL REPORT FOR
THE 2013 REPORTING YEAR, SUBJECT TO
CONDITION; AND WAIVING RESPONSE TIME**

Mailed Date: April 29, 2014

I. STATEMENT

1. On February 5, 2014, by Minute Order, the Commission opened this Proceeding and directed that a letter, over the signature of Commission Director Dean, regarding the filing of annual reports for calendar year 2013 be sent to electric, gas, and steam providers.

2. On February 5, 2014, by Minute Order, the Commission referred to an Administrative Law Judge (ALJ) the disposition of motions filed in this Proceeding.

3. On February 5, 2014, as directed by the Commission, a letter was mailed to electric, gas, and steam providers. In relevant part, that correspondence, signed by Commission Director Dean, stated:

In accordance with Rule 3006 of the Commission's Rules Regulating Electric Utilities, 4 *Code of Colorado Regulations* (CCR) 723-3 and Rule 4006 of the Commission's Rules Regulating Gas Utilities and Pipeline Operators, 4 CCR 723-4, each utility over which the Commission has jurisdiction is required to file

an annual report on or before April 30th for the preceding calendar year. The rules state that the annual report shall be filed on forms prescribed by the Commission and require that regulated utilities file any additional reports specified by the Commission.

Please see attached Appendix A [of this letter] for a list of energy utilities and the required reports for each utility. The attachment specifies the forms to be filed by energy and steam utilities for the 2013 reporting year. Cooperative electric associations subject to Article 9.5 of Title 40, C.R.S., and all energy utilities must also file a copy of the report of gross regulated intrastate operating revenues required by the Colorado Department of Revenue, Form DR 0525. That form and other report forms may be found on the Commission's website at <http://dora.colorado.gov/puc>.

* * *

Each utility holding a Certificate of Public Convenience and Necessity to provide electric, gas, or steam services in accordance with Title 40 of the Colorado Revised Statutes during the 2013 calendar year shall file an annual report in the prescribed form available from the Commission's website. Such reports shall be filed no later than April 30, 2014, in accordance with the aforementioned Rules relating to energy utilities. Each filing utility shall also file a copy of Form DR 0525 with the Commission no later than April 30, 2014. The miscellaneous proceeding opened as a repository is Proceeding No. 14M-0095EG. Please file your Annual Report forms in this Proceeding.

* * *

A utility may file a motion for extension of time to file its annual report with the Commission. The motion may be granted for a period not to exceed 30 days if good cause is shown why the utility is unable to comply with the April 30, 2014 deadline. *Such motion shall not include a request for extension of time to file Form DR 0525.* Motions for an extension of time have been referred to an Administrative Law Judge for disposition.

February 5, 2014 letter at 1-2 (emphasis supplied).

4. By a motion filed on April 29, 2014, Wheatland Electric Cooperative, Inc. (Requester), submitted a request for an extension of time within which to file its Annual Report (Request). The ALJ finds that the filing states good cause and that granting the Request will not prejudice any party. The ALJ will grant the Request and will extend, to and including **May 30, 2014**, the date by which Requester must file its 2013 Annual Report.

5. As stated in Director Dean's February 5, 2014 letter, the time for filing the required Form DR 0525 cannot be extended. Accordingly, the ALJ will require as a condition on the granting of the extension of time that Requester timely file the required Form DR 0525. If Requester fails to make this filing as required, then the grant of an extension of time to file the 2013 Annual Report with the Commission will be null and void.

6. No party will be prejudiced by waiving the response time to the Request. The ALJ will waive response time to the Request.

II. ORDER

A. It Is Ordered That:

1. The request of Wheatland Electric Cooperative, Inc., for an extension of time within which to file its Annual Report for Calendar Year 2013 is granted, subject to the condition stated below.

2. The time within which Wheatland Electric Cooperative, Inc., must file the Annual Report for Calendar Year 2013 is extended to and including May 30, 2014, subject to the condition contained in Ordering Paragraph No. 3.

3. The extension of time granted in Ordering Paragraph No. 2 is conditioned as follows: not later than April 30, 2014, Wheatland Electric Cooperative, Inc., shall file its Form DR 0525.

4. If Wheatland Electric Cooperative, Inc., fails to file its Form DR 0525 as required by Ordering Paragraph No. 3, the extension of time granted in Ordering Paragraphs No. 1 and 2 is null and void.

5. Response time to the Wheatland Electric Cooperative, Inc., request for an extension of time within which to file its Annual Report for Calendar Year 2013 is waived.

6. This Interim Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

MANA L. JENNINGS-FADER

Administrative Law Judge

ATTEST: A TRUE COPY

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

Doug Dean,
Director