

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 20V-0184E

IN THE MATTER OF THE PETITION OF PUBLIC SERVICE COMPANY OF COLORADO
FOR APPROVAL OF A PARTIAL WAIVER FROM RULE 3304 REQUIRING ELECTRIC
METER TESTING FOR METERS THAT WILL BE REPLACED WITHIN THE ADVANCED
GRID INTELLIGENCE AND SECURITY INITIATIVE.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
MELODY MIRBABA
SCHEDULING REMOTE PREHEARING CONFERENCE**

Mailed Date: June 29, 2020

I. STATEMENT, BACKGROUND, FINDINGS, AND CONCLUSIONS

1. On April 28, 2020, Public Service Company of Colorado (Public Service or the Company) filed the above-captioned Petition (Petition). That same day, the Public Utilities Commission gave public notice of the Petition.

2. On May 27, 2020, the Colorado Office of Consumer Counsel (OCC) filed an Intervention and Entry of Appearance. The OCC also filed an Amended Intervention, Request for Hearing, and Entry of Appearances on June 4, 2020.

3. On May 27, 2020, Colorado Public Utilities Commission Trial Staff filed a Notice of Intervention as of Right, Entry of Appearance, Notice Pursuant to Rule 1007(a), and Request for Hearing.

4. During its weekly meeting on June 17, 2020, the Commission referred this matter to an Administrative Law Judge (ALJ).

5. In anticipation of a hearing on the Petition, the ALJ will schedule a remote prehearing conference per Rule 1409(a), 4 *Code of Colorado Regulations* 723-1, of the

Commission's Rules of Practice and Procedure. At the remote prehearing conference, an evidentiary hearing will be scheduled, and procedural deadlines will be established.¹ The parties may raise other issues relevant to this proceeding at the prehearing conference. The parties are required to confer on a hearing date and procedural deadlines before the prehearing conference. As part of this conferral, the parties must discuss whether they are willing and able to hold the evidentiary hearing by video conference.²

6. The ALJ encourages the parties to submit a proposed hearing date and procedural schedule prior to the prehearing conference.³ In such a circumstance, provided that the ALJ substantially approves the proposed schedule, the ALJ may vacate the prehearing conference.

7. The remote prehearing conference will be held using the web-hosted video conferencing service, GoToMeeting. To minimize the potential that the video-conference hearing may be disrupted by non-participants, the link and meeting ID or access code will be provided to the parties by email before the hearing, and the parties will be prohibited from distributing that information to anyone not participating in the hearing.

8. Information and direction on using GoToMeeting to attend the hearing is provided in Attachment A to this Decision. The ALJ strongly encourages the parties to test their ability to use GoToMeeting *before* the remote prehearing conference.

¹ This includes deadlines to file witness and exhibit lists, exhibits, post-hearing statements of position, settlement agreements and stipulations, and prehearing motions.

² Due to the COVID-19 global pandemic, the Commission's offices are not open to the public, and therefore no in-person hearings are being held. It is unknown when the Commission will be able to hold hearings in-person, but the Commission has been holding evidentiary hearings by video-conference.

³ If the parties wish to preserve the ability to hold a hearing in-person if it becomes an option before the evidentiary hearing, the parties should ensure that Commission Hearing Room A is available for their proposed hearing dates. The parties may review the Commission's public calendar for this information, which they may find on the Commission's website.

9. *All parties are on notice that failure to appear at the prehearing conference may result in decisions adverse to their interests, including granting the complete relief opposing parties seek. The ALJ will deem any party's failure to appear at the prehearing conference to be a waiver of that party's objection to the rulings made during the prehearing conference.*

II. ORDER

A. It Is Ordered That:

1. Consistent with the above discussion, a remote prehearing conference is scheduled as follows:

DATE: July 9, 2020

TIME: 11:00 a.m.

METHOD: By video conference using GoToMeetings at link provided to parties by email

2. The parties may not distribute the GoToMeeting link, and access or ID code to non-participants.

3. Attachment A is incorporated into this Decision.

4. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

MELODY MIRBABA

Administrative Law Judge

ATTEST: A TRUE COPY

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

Doug Dean,
Director