

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 20A-0268E

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF
COLORADO FOR APPROVAL OF ITS ZUNI STATION DECOMMISSIONING PLAN.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
ROBERT I. GARVEY
SETTING PREHEARING CONFERENCE**

Mailed Date: August 5, 2020

I. STATEMENT

1. On June 19, 2020, Public Service Company of Colorado (Public Service) filed its Verified Application for approval of its decommissioning plan for its Zuni Electric Generating Station.

2. On July 14, 2020, the Colorado Office of Consumer Counsel (OCC) filed its Notice of Intervention of Right, Entry of Appearance, and Request for Hearing. The OCC is an intervenor as of right and a party in this proceeding.

3. On July 21, 2020, Trial Staff of the Colorado Public Utilities Commission (Staff) timely filed its Notice of Intervention as of Right, Entry of Appearance, Notice Pursuant to Rule 1007(a) and Rule 1403(b), and Request for Hearing. The intervention is of right, and Staff is a party in this matter.

4. On July 29, 2020, by minute order, Proceeding No. 20A-0268E was referred to the undersigned Administrative Law Judge (ALJ).

II. PREHEARING CONFERENCE

5. In anticipation of a hearing, the ALJ will schedule a remote prehearing conference per Rule 1409(a) of the Commission's Rules of Practice and Procedure, 4 *Code of Colorado Regulations* (CCR) 723-1. At the remote prehearing conference, an evidentiary hearing will be scheduled, and procedural deadlines will be established. 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.

6. The ALJ encourages the parties to submit a proposed hearing date and procedural schedule prior to the prehearing conference. 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.

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 sought by

opposing parties. 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.

III. **ORDER**

A. **It Is Ordered That:**

1. A prehearing conference in this matter is scheduled for the following date, at the following time, and in the following location:

DATE: August 25, 2020

TIME: 10:00 a.m.

METHOD: Online, using GoToMeeting's platform for video conferencing.
Link provided to parties by email

2. Attachment A is incorporated into this Decision.

3. This Decision shall be effective immediately.

(S E A L)



ATTEST: A TRUE COPY

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ROBERT I. GARVEY

Administrative Law Judge