

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 23A-0392EG

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF
COLORADO FOR APPROVAL OF ITS 2024-2028 CLEAN HEAT PLAN.

**INTERIM COMMISSION DECISION: (1) DEEMING
APPLICATION COMPLETE; (2) SETTING MATTER FOR
HEARING *EN BANC*; (3) ESTABLISHING PARTIES; (4)
ADDRESSING INFORMATION TO BE PRESENTED IN
SUPPLEMENTAL DIRECT; AND (5) SETTING 14-DAY
RESPONSE TIME TO OUTSTANDING MOTION**

Mailed Date: September 19, 2023

Adopted Date: September 13, 2023

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I. BY THE COMMISSION

A. Statement

1. By this Decision, the Commission deems complete and sets for hearing before the Commission *en banc* the Application of Public Service Company of Colorado (Public Service or

the Company) filed on August 1, 2023, which requests the Commission approve the Company's 2024-2028 Clean Heat Plan (Application).

2. The Commission grants the requests for permissive intervention filed by the City and County of Denver (Denver), the City of Boulder (Boulder), City of Pueblo, County of Pueblo, Project Canary, PBC (Project Canary), the Colorado Energy Consumers (CEC), Holy Cross Electric Association, Inc. (Holy Cross), Black Hills Colorado Gas, Inc. (Black Hills), Natural Resources Defense Council and Sierra Club (collectively, the Conservation Coalition), the Colorado Renewable Energy Society (CRES) and Physicians for Social Responsibility (PSR-CO), Western Resource Advocates (WRA), the Southwest Energy Efficiency Project (SWEET), Energy Outreach Colorado (EOC), the Colorado Solar and Storage Association (COSSA) and the Solar Energy Industries Association (SEIA), Chevron, Occidental Petroleum, and Williams (collectively, the Decarbonization Coalition), Denver Pipefitters, Local 208 (Pipefitters), and Laborers' International Union of North America, Local 720 (Local 720). The Commission acknowledges the notices of intervention of right filed by Trial Staff of the Commission (Staff), the Office of the Utility Consumer Advocate (UCA), and the Colorado Energy Office (CEO).

3. This Decision directs Public Service to file Supplemental Direct Testimony on certain issues as discussed below. The filing deadline for the Supplemental Direct Testimony is three weeks from the effective date of this Decision.

4. The Commission also sets September 20, 2023, pursuant to Rule 4 *Code of Colorado Regulations* (CCR) 723-1-1400(b) of the Commission's Rules of Practice and Procedure, as the deadline for responses to the Joint Motion for Partial Summary Judgment filed by City of Boulder, Colorado Renewable Energy Society, Colorado Solar and Storage Association, Natural Resources Defense Council, Physicians for Social Responsibility Colorado, Sierra Club,

Solar Energy Industries Association, Southwest Energy Efficiency Project, Utility Consumer Advocate, and Western Resource Advocates (collectively, Joint Movants) on September 6, 2023 (Summary Judgment Motion).

B. Procedural History

5. Senate Bill (SB) 21-264, codified as § 40-3.2-108, C.R.S., requires Colorado gas utilities with more than 90,000 retail customers to develop, file, and receive approval of comprehensive Clean Heat Plans designed to achieve greenhouse gas emission reductions, specifically the reduction of carbon dioxide and methane emissions from gas distribution systems and the associated end-use consumption. Section 40-3.2-108(3), C.R.S., requires gas utilities to file a Clean Heat Plan to demonstrate the utility will achieve greenhouse gas emissions reduction targets of 4 percent by 2025, based on 2015 emission levels, from a range of prescribed clean heat resources. Section 40-3.2-108(4), C.R.S., requires the state's largest investor-owned gas utility, Public Service, to file its first Clean Heat Plan application by August 1, 2023.

6. On August 1, 2023, Public Service filed its Application and Direct Testimony requesting Commission approval of the proposals contained in the Company's Clean Heat Plan Application. Public Service seeks approval of (1) its Application; (2) its selection of the proposed "Clean Heat Plus" as the preferred portfolio for the Clean Heat Plan; (3) the Company's proposed "Market Transformation Portfolio," including the "Market Transformation Initiatives" and the "Innovation Fund;" (4) the Company's proposed budgets; (5) its proposed "Plan, Do, Check, Act" framework, including the 60/90-Day Notice process and budget flexibility mechanisms proposed; (6) the Company's proposed cost recovery mechanism, including the Clean Heat Support Gas Adjustment and the Clean Heat Support Electric Adjustment; (7) its request that the Commission open a miscellaneous docket within 60 days of the final order in this Proceeding to address other

open issues; (8) timing of its next Clean Heat Plan application filing; (9) its proposal to track and defer costs incurred in association with preparing and litigating this proceeding into a noninterest-bearing regulatory asset to be reviewed for recovery purposes in a future rate proceeding; and (10) that the Commission grant any waivers or variances the Commission deems necessary for approval and implementation of the Clean Heat Plan.

7. The Commission issued a Notice of Application Filed on August 2, 2023. The Notice set a 30-day intervention period that ran through September 1, 2023.

8. On August 17, 2023, UCA filed a notice of intervention of right. On August 31, 2023, Staff filed a notice of intervention of right. On August 29, 2023, CEO filed a notice of intervention of right.

9. On August 25, 2023, the Decarbonization Coalition filed a motion for permissive intervention.

10. On August 29, 2023, the Conservation Coalition and SWEEP filed a motion for permissive intervention.

11. On August 30, 2023, Project Canary, Pueblo County, and Boulder filed a motion for permissive intervention.

12. On August 31, 2023, EOC, City of Pueblo, WRA, COSSA/SEIA, and Holy Cross filed motions for permissive intervention.

13. On September 1, 2023, Black Hills, CRES/PSR-CO, CEC, Denver, and Pipefitters, filed motions for permissive intervention.

14. On September 11, 2023, Local 720 filed its Motion for Late Intervention and entry of appearance.

15. On September 6, 2023, the Joint Movants filed their Summary Judgment Motion.

C. Completeness

16. The Commission finds the Application addresses all applicable Commission Rules and is therefore deemed complete for purposes of § 40-6-109.5, C.R.S.¹

D. *En Banc* Hearing

17. The Commission finds good cause to set the Application for hearing before the Commission *en banc*. This Application is the first Clean Heat Plan in Colorado. Further, the Application raises significant policy questions, as well as questions of statutory interpretation, that warrant an evidentiary hearing before the Commissioners.

E. Establishment of Parties

18. UCA, Staff, and CEO filed timely notices of intervention by right. Pursuant to Rule 4 Code of Colorado Regulations (CCR) 723-1-1401(b) of the Commission's Rules of Practice and Procedure, no decision is required in response to appropriately filed notices of intervention by right. We acknowledge the notices of intervention of right, and that UCA and Staff are parties to this Proceeding.

19. The following parties filed timely requests for permissive intervention: Holy Cross, CEC, Black Hills, COSSA/SEIA, the Decarbonization Coalition, Denver Pipefitters, Conservation Coalition, EOC, SWEEP, WRA, CRES/PSR-CO, Boulder, Denver, City of Pueblo, County of Pueblo, and Project Canary.

20. Local 720 filed an out of time motion to intervene on September 11, 2023.

¹ The Commission acknowledges the Application automatically deemed complete on September 16, 2023, for purposes of the statutory deadline for a final Commission decision pursuant to § 40-6-109.5, C.R.S.

21. Holy Cross is a cooperative electric association and states that it purchases a substantial portion of its wholesale electric power and energy from Public Service through a cost-based purchased power contract which Holy Cross states may be affected by the outcome of this Proceeding. Holy Cross states that the outcome of this proceeding could affect Public Service's power supply costs and therefore affect the rates it charges to Holy Cross. Holy Cross's certified electric service territory overlaps Public Service's natural gas service area. To the extent that natural gas use in these overlap areas increases electric usage by Holy Cross, then Holy Cross may need to identify and calculate the beneficial electrification effects on Holy Cross that result from this Application.

22. CEC is an association comprised of energy consumers, including for this Proceeding, AirGas, USA, LLC, All Recycling, Inc., Google, Lockheed Martin Corporation, Occidental Energy Ventures, Suncor Energy (U.S.A.) Inc., and Western Midstream. CEC asserts a direct interest in the Proceeding because if the Clean Heat Plan is approved, it would have a direct and substantial impact on CEC members' electric rates. CEC states its participation in this case will likely focus on the Clean Heat Plan budget, cost recovery mechanisms, and the related impact on customer electric rates.

23. Black Hills is a natural gas distribution company that provides gas distribution, transmission, and transportation services to retail customers throughout Colorado. Black Hills obtains a portion of its natural gas supplies from Public Service; Public Service is the upstream pipeline provider for Black Hills' North/Southwest GCA Region in Base Rate Area 1 and Area 2. Black Hills contends that, changes to Public Service's gas transmission system, including potential alternatives, can have a direct and substantial impact on Black Hills and its customers. Additionally, Black Hills states it is also required to file its own Clean Heat Plan under Gas Rules

4726-4731, and this proceeding is expected to provide guidance and refinements for future Clean Heat Plan filings.

24. EOC collects and disburses low-income energy assistance funds and claims an interest in assuring that the interests of income-qualified (IQ) customers and customers living in Disproportionately Impacted (DI) Communities are duly recognized in proceedings before the Commission, and in ensuring that rates are just and reasonable such that the organization is not burdened by having to increase assistance payments and other crisis mitigation disbursements. EOC is interested in investigating whether the Company's proposed Plan and budget meets the requirements of the statute and Commission Rules to consider, balance, and protect the interests of IQ and DI Community customers. EOC is also a partner with the Company on certain initiatives presented in the Application, and therefore is specifically interested in approval and/or modification of these initiatives.

25. WRA is a non-profit conservation organization and states it has an interest in decreasing emissions from fossil gas distribution and combustion and decarbonizing the gas and building sector throughout the Interior West in a manner that is beneficial to both ratepayers and the environment. WRA states it has an interest in this Proceeding because it must ensure that the clean heat portfolio approved by the Commission is consistent with the long-term emission trajectory for Colorado, and states it has an interest in ensuring that the clean heat portfolio approved by the Commission aligns with SB 21-272.

26. NRDC is a national non-profit organization dedicated to protection of the environment. NRDC moves to intervene in this Proceeding on behalf of itself and its approximately 14,000 litigation and advocacy members in Colorado, many of whom are Public Service customers. Sierra Club is a national non-profit environmental organization dedicated to

the protection of public health and the environment. Sierra Club petitions to intervene in this Proceeding on behalf of itself and the 17,069 Sierra Club members who live in Colorado, including 11,262 members who are electric and/or gas customers of Public Service. NRDC and Sierra Club move to jointly intervene as the “Conservation Coalition.” They state that their intervention should be granted because they and their members have a tangible and pecuniary interest, including health, environmental, and economic interests, that will be affected by Public Service’s Clean Heat Plan.

27. SWEEP is a regional public interest non-profit organization whose mission is to ensure a healthy, equitable, and low carbon future by advancing energy efficiency, electrification, and clean transportation, and to expand the economic and environmental benefits that energy efficiency and electric vehicles provide. SWEEP states that the Commission should allow SWEEP to permissively intervene in this proceeding because Public Service’s inaugural Clean Heat Plan will substantially affect SWEEP’s tangible interests in advancing robust energy efficiency and beneficial electrification policies and programs.

28. CRES is a non-profit corporation that promotes energy efficiency, demand side management (DSM), beneficial electrification (BE), and renewable energy development in Colorado communities. CRES membership is composed of more than 60 businesses with an interest in renewable energy and energy efficiency, many of which operate in Public Service’s service territory. PSR Colorado (PSR-CO) received nonprofit status in Colorado in 2018, as a chapter of Physicians for Social Responsibility (PSR) national. PSR-CO has advocated at the state and local level for the past four years to limit toxic emissions that impact the health and well-being of Colorado residents and greenhouse gas emissions that impact the health and well-being of the entire planet. They state that the Commission and other parties will benefit from the perspective

of CRES's focus on all types of energy efficiency and renewable energy and PSR-CO's focus on human health and gas stove and other gas appliance home use.

29. Denver is a customer of Public Service, and its citizens are customers of Public Service. Denver aims to eliminate 100 percent of the City's greenhouse gas emissions by 2040, which includes all new buildings and homes performing as net zero energy by 2030, and all existing buildings and homes performing as net zero energy by 2040. Denver seeks to intervene and explore several topics, including the contents and assumptions of the Company's Clean Heat Plus portfolio, the inclusion of additional measures in its portfolio, the proposed Market Transformation Initiatives and fund concepts, the hydrogen blending demonstration proposal, and the cost recovery proposals, as well as the Company's cost recovery proposals.

30. Boulder is a large customer of Public Service that operates facilities which take electric service under several Public Service rate schedules and natural gas service under Public Service rate schedules Commercial Gas Service Small (CSG), Firm Gas Transportation Small (TFS) and Firm Gas Transportation Large (TFL) and its citizens and businesses are also customers of Public Service. The Boulder community is also comprised of more than 40,000 residential customers and more than 5,000 business customers, taking service under several Public Service rate schedules. The Boulder Climate Commitment targets a 70 percent reduction in economy-wide greenhouse gas emissions by 2030 versus a 2018 baseline and economy-wide carbon neutrality by 2035. Boulder plans on addressing Commission approval of several of the Company's requests in its Application.

31. The City of Pueblo, and its residents, are retail natural gas customers of Public Service. The City of Pueblo primarily seeks to address the cost recovery aspects of the Clean Heat Plan and specifically whether exceeding the statutory rate cap is permissible and in the public

interest. The City of Pueblo states that it “has historically been supportive of both PSCo and Black Hills Electric (the electric service provider for the City) in their efforts to reduce carbon emissions. However, there comes a time when the interests of customers from a cost-of-service and affordability standpoint must become paramount.”²

32. The County of Pueblo asserts that Public Service’s Clean Heat Plan will have a substantial pecuniary and tangible impact on Pueblo County because Public Service provides gas utility services to Pueblo County. Pueblo County states that “it is and has been supportive of reducing emissions and moving toward clean energy—more so than many communities. Putting our residents in the position of incurring costs in excess of \$20,000 per home for installation of electric heat pumps, electric ranges, etc. and incurring higher electric bills is neither fair nor equitable.”³ Thus, Pueblo County states it has demonstrated that it has a substantial tangible and or pecuniary interest in this proceeding, that its interests are unique and that no other party can adequately represent the interests of Pueblo County.

33. Project Canary is a Denver-based Public Benefit Corporation that offers a suite of services designed to help lower the environmental impact of natural gas production, transportation, and distribution, including independent monitoring and environmental assessment of differentiated natural gas, sometime referred to as certified gas. Project Canary states it is an “expert in the field of differentiated natural gas, and one of the three independent third-party organizations mentioned in the Direct Testimony of PSCO Witness Ms. Lieb that measure and provide verifiable data to determine the methane intensity of production emissions of differentiated natural gas.”⁴

² City of Pueblo Motion for Intervention, ¶ 5.

³ Pueblo County Motion to Intervene, ¶ 10.

⁴ Project Canary Motion to Intervene, p. 2.

34. Labor 720 is democratic labor organization that represents more than 1,600 members in the state of Colorado, including hundreds of workers employed by utility contractors performing construction activities on Public Service Company of Colorado's natural gas infrastructure. It states that gas infrastructure, specifically gas distribution and transmission pipeline projects, represent a consistent and significant source of employment for Local 720's members and that its members will be materially impacted by the Commission's decision in this case. Labor 720 filed its updated Motion to Intervene past the intervention deadline set by the Commission. It requests the Commission find good cause to grant its late-filed intervention because it was in the process of retaining counsel and is a local union with limited resources that relies on assistance from its union's staff in regulatory proceedings.

35. Rule 1401(c) of the Commission's Rules of Practice and Procedure, 4 CCR 723-1, requires persons seeking permissive intervention to show the following, in pertinent part:

A motion to permissively intervene shall state the specific grounds relied upon for intervention; the claim or defense within the scope of the Commission's jurisdiction on which the requested intervention is based, including the specific interest that justifies intervention; and why the filer is positioned to represent that interest in a manner that will advance the just resolution of the proceeding. The motion must demonstrate that the subject proceeding may substantially affect the pecuniary or tangible interests of the movant (or those it may represent) and that the movant's interests would not otherwise be adequately represented.

36. Pursuant to Rule 1500, 4 CCR 723-1, the person seeking leave to intervene by permission bears the burden of proof with respect to the relief sought.

37. Further, Rule 4 CCR 723-1-1401(c) requires that a movant who is a "residential consumer, agricultural consumer, or small business consumer" must discuss in the motion whether the distinct interest of the consumer is either not adequately represented by the UCA or inconsistent with other classes of consumers represented by the UCA. As set forth in §§ 40-6.5-104(1) and (2), C.R.S., the UCA has a statutory mandate to represent the interest of residential ratepayers.

38. We find that each entity seeking permissive intervention has sufficiently demonstrated that this proceeding may substantially affect its pecuniary or tangible interests, as is required by Rule 1401(c). Each also has demonstrated that its interests would not otherwise be adequately represented. Therefore, we grant the requests for permissive intervention.

39. Pursuant to Commission Rule 1401(a), we also find Local 720 has demonstrated good cause to allow for its' late intervention.

40. The parties to this Proceeding are: Public Service, Trial Staff of the Commission, UCA, CEO, Holy Cross, CEC, Black Hills, COSSA/SEIA, Decarbonization Coalition, Pipefitters, Local 720, Conservation Coalition, EOC, SWEEP, WRA, CRES/PSR-CO, Boulder, City of Pueblo, County of Pueblo, Denver, and Project Canary.

F. Supplemental Direct Testimony

41. Given the scale of this Clean Heat Plan in terms of anticipated costs and potential greenhouse gas emission reductions, we conclude that it is necessary for Public Service to augment the record in this Proceeding with additional information in numerous areas. We therefore direct Public Service to file Supplemental Direct Testimony addressing the following requests:

- a) The E3 Clean Heat Portfolio Analysis, (E3 Analysis)⁵ incorporates the Company's DSM and BE costs and savings levels as proposed upon rebuttal by the Company in its recent DSM SI Proceeding, Proceeding No. 22A-0309EG. Other Company testimony references the final DSM and BE costs and savings values approved through Commission Decision No. C23-0413 in Proceeding No. 22A-0309EG.
 - i. Please clarify what cost and savings levels of BE and gas DSM are incorporated in the Company's sales and other forecasts and Clean Heat Plan cost projections.
 - ii. If the Company's sales forecast or other components of the Company's direct case did not incorporate the BE and gas DSM levels reflected in Commission Decision No. C23-0413, please resubmit such components of

⁵ Hrg. Ex. 102, Att. DRA-1.

the Company's direct case based on the cost and savings values established in Commission Decision No. C23-0413.

- b) Please address the Company's compliance with Rule 4 CCR 723-4-4731(e)(I) of the Commission's Rules Regulating Gas Utilities regarding information required to accompany portfolios including green hydrogen as a clean heat resource.
- c) Rule 4 CCR 723-4-4731(d)(II) of the Commission's Rules Regulating Gas Utilities dictates that the company should provide and quantify certain information on a clean heat resource category basis.
 - i. Please identify where information specific to green hydrogen, as opposed to other types of hydrogen, is located within the Application.
 - ii. If green hydrogen is not fully addressed as an individual resource category, please provide separate annual and total cost information and annual throughput projections, in Dth, for green hydrogen specifically under all portfolios that include hydrogen as a resource.
- d) The E3 Analysis indicates that gas throughput may fall around 80% by 2050,⁶ while costs of green hydrogen and recovered methane are expected to be at levels well above the typical costs of geological gas, as identified in commodity cost projections included in the Company's direct case.⁷ At the same time, many of the Company's proposed approaches to emission reduction efforts may not materially reduce capital cost spending.
 - i. Please provide a rate analysis in an executable form to show the anticipated impact to average customer rates for every 5 years starting in 2025 through 2050, for each portfolio proposed, utilizing the Company's (1) forecasted natural gas commodity costs; (2) forecasted capital expenditures on infrastructure investments; and (3) anticipated future actions to continue to align greenhouse gas emissions with state policy objectives.
 - ii. Please identify all key assumptions, including those three factors as well as forecast throughput decreases, changes in rate design given the decline in throughput, the annual escalation factor of capital expenditures, future costs of low carbon fuel commodities, throughput decreases and any expected impacts on peak system capacity requirements.
 - iii. The Company's response should allow for user adjustment to primary inputs in a manner similar to Hrg. Ex. 129, Att. SWW-6C in Proceeding No. 21AL-0046G.
- e) Please identify specific locations in the filing where the Company provided information responsive to the requirement of Rule 4731(a)(I)(B) for localized forecasting, as well as the requirements from Rule 4731(a)(I)(E), including the impacts on those localized forecasts of building codes, changes in line extension

⁶ Hrg. Ex. 101, p. 158.

⁷ See E3 Analysis, Figures 13 and 16.

policies, building electrification programs and incentives, and the price elasticity of demand.

- f) The E3 Analysis identifies various costs and benefits on page 24 of Hrg. Ex. 102, Att. DRA-1, which differ from the specific cost and benefits identified in Rule 4731(d)(I)(e).
 - i. Please identify the location in the filing where the Company completed a cost-benefit analysis of each portfolio specific to the requirements of 4731(d)(I)(e).
 - ii. If the cost-benefit analysis prescribed in Rule 4731(d)(I)(e) of each portfolio is not currently contained in the Company's filing, please provide it.
- g) Identify the source of the data shown in the E3 Analysis, Tables 19 and 20 on pages 30-31 of Hrg. Ex. 102, Att. DRA-1.
- h) Please provide tables similar to Table 22 on page 33 of Hrg. Ex. 102, Att. DRA-1 of the E3 Analysis for all combinations of vintage, building type, measures, and climate zones.
- i) Please provide workpapers for the avoided gas infrastructure costs and incremental electric infrastructure costs associated with each portfolio, as referenced in Hrg. Ex. 101, Table JW1-D-2.
- j) Please provide the utility and total incentive levels and adoption rates supporting the electrification curves shown in Figure 4 of the E3 Analysis.⁸

G. Response Time to Summary Judgment Motion

42. The Commission establishes September 20, 2023, pursuant to Rule 4 CCR 723-1-1400(b) of the Commission's Rules of Practice and Procedure, as the deadline for responses to the Summary Judgment Motion. This date is fourteen days from the filing of the Summary Judgment Motion.

II. ORDER

A. It Is Ordered That:

1. The Application of Public Service Company of Colorado (Public Service) for approval of its 2024-2028 Clean Heat Plan, filed on August 1, 2023, is set for hearing *en banc*.

⁸ Hrg. Ex. 102, Att. DRA-1, p. 13.

2. The application is deemed complete, consistent with the discussion above.
3. The motion to intervene filed by Chevron, Occidental Petroleum, and Williams (collectively, the Decarbonization Coalition) on August 25, 2023, is granted.
4. The motion to intervene filed by the City and County of Boulder (Boulder) on August 30, 2023, is granted.
5. The motion to intervene filed by Project Canary, PBC (Project Canary) on August 30, 2023, is granted.
6. The motion to intervene filed by Pueblo County on August 30, 2023, is granted.
7. The notices of intervention filed by the Office of the Utility Consumer Advocate on August 17, 2023, by Trial Staff of the Commission on August 31, 2023, and by the Colorado Energy Office on August 29, 2023, are acknowledged.
8. The motion to intervene filed by Natural Resources Defense Council and Sierra Club (collectively, the Conservation Coalition) on August 29, 2023, is granted.
9. The motion to intervene filed by the Southwest Energy Efficiency Project (SWEET) on August 29, 2023, is granted.
10. The motion to intervene filed by Energy Outreach Colorado (EOC) on August 31, 2023, is granted.
11. The motion to intervene filed by City of Pueblo on August 31, 2023, is granted.
12. The motion to intervene filed by Western Resource Advocates (WRA) on August 31, 2023, is granted.

13. The joint motion to intervene filed by the Colorado Solar and Storage Association and the Solar Energy Industries Association (jointly, COSSA/SEIA) on August 31, 2023, is granted.

14. The motion to intervene filed by Holy Cross Electric Association, Inc. (Holy Cross) on August 31, 2023, is granted.

15. The motion to intervene filed by the Black Hills Colorado Gas, Inc. (Black Hills) on September 1, 2023, is granted.

16. The motion to intervene filed by the City and County of Denver (Denver) on September 1, 2023, is granted.

17. The motion to intervene filed by the Colorado Energy Consumers (CEC) on September 1, 2023, is granted.

18. The joint motion to intervene filed by the Colorado Renewable Energy Society and Physicians for Social Responsibility Colorado (together, CRES/PSR-CO) on September 1, 2023, is granted.

19. The motion to intervene filed by the Denver Pipefitters, Local 208 (Pipefitters) on September 1, 2023, is granted.

20. The motion for late intervention filed by Laborers' International Union of North America, Local 720 (Local 720) on September 11, 2023, is granted.

21. The parties to this Proceeding are: Public Service, Trial Staff of the Commission, UCA, CEO, Holy Cross, CEC, Black Hills, COSSA/SEIA, Decarbonization Coalition, Pipefitters, Local 720, Conservation Coalition, EOC, SWEEP, WRA, CRES/PSR-CO, Boulder, City of Pueblo, County of Pueblo, Denver, and Project Canary.

22. The Commission also sets September 20, 2023, pursuant to Rule 4 *Code of Colorado Regulations* 723-1-1400(b) of the Commission's Rules of Practice and Procedure, as the deadline for responses to the Joint Motion for Partial Summary Judgement filed by Boulder, CRES/PSR-CO, COSSA/SEIA, Conservation Coalition, SWEEP, UCA, and WRA on September 6, 2023.

23. Public Service shall file Supplemental Direct Testimony in this Proceeding, consistent with the discussion above, no later than three weeks from the effective date of this Decision.

24. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
September 13, 2023.**

(S E A L)



ATTEST: A TRUE COPY

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ERIC BLANK

MEGAN M. GILMAN

Commissioners

Rebecca E. White,
Director

COMMISSIONER TOM PLANT
ABSENT