

Decision No. R24-0391-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 24A-0106W

IN THE MATTER OF THE APPLICATION OF PAPASON LLC D/B/A BAXTER WATER AND SERVICES REQUESTING APPROVAL FOR SIMPLIFIED REGULATORY TREATMENT AND PARTICIPATION IN THE RESOURCE COST PASS-THROUGH OPTION.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
AVIV SEGEV
ACKNOWLEDGING INTERVENTION, ADOPTING
PROCEDURES, SCHEDULING EVIDENTIARY HEARING,
AND PROVIDING INSTRUCTIONS CONCERNING
EXHIBITS AND PARTICIPATING IN REMOTE HEARING**

Mailed Date: June 6, 2024

STATEMENT

A. Procedural Background

1. On March 1, 2024, Papason LLC, doing business as Baxter Water & Services (“Baxter” or “Applicant”) filed with the Commission its Application for Simplified Regulatory Treatment and Participation in the Resource Cost Pass-Through Option (Application). This filing commenced Proceeding No. 24A-0106W.

2. On March 15, 2024, the Commission issued its Notice of Application Filed (Notice). The notice established a 30-day intervention period for intervenors to file appropriate pleadings to become parties in this Proceeding.

3. On April 19, 2024, the Trial Staff of the Public Utilities Commission (Staff) timely noticed its intervention of right and requested a hearing in this matter.¹

4. On May 1, 2024, the Commission referred this matter to an Administrative Law Judge (ALJ) by minute entry.

5. The undersigned ALJ informally conferred with the parties, who indicated that that they desired to participate in a fully remote evidentiary hearing and proposed the following procedural schedule for this Proceeding (Consensus Schedule):

Procedural Activity	Proposed Deadline
Answer Testimony	July 19, 2024
Rebuttal Testimony	August 9, 2024
Settlement Deadline	August 16, 2024
Pre-Hearing Motions	August 16, 2024
Cross-Examination Matrix	August 23, 2024
Responses to Pre-Hearing Motions	August 30, 2024
Evidentiary Hearing	September 13, 2024
Statements of Position	September 27, 2024

B. Procedural Schedule and Unified Numbering System for Hearing Exhibits

6. The Consensus Schedule was agreed to by the parties, is reasonable, and will be adopted, as ordered below.

¹ See Notice at 1 and Notice of Intervention as of Right by Trial Staff of The Commission, Entry of Appearance, Notice Pursuant to Rule 1007(A) and Rule 1401, and Request For Hearing, filed by Staff on April 19, 2024.

7. In order to efficiently organize the numbering and preparation of exhibits for the hearing, the parties shall use a unified numbering system for all hearing exhibits. Blocks of hearing exhibit numbers are assigned as follows:

Baxter is assigned hearing exhibit numbers 100 to 199; and

Staff is assigned hearing exhibit numbers 200 to 299.

C. Remote Evidentiary Hearing

8. As agreed to by the parties, an evidentiary hearing shall be scheduled for September 13, 2024. Based on the parties' agreement, the evidentiary hearing in this Proceeding hearing will be conducted as a remote hearing. This Decision and Attachments A and B provide critical information and instructions to facilitate holding the remote hearing, which all parties must follow.

9. To minimize the potential that the remote hearing may be disrupted by non-participants, the link, meeting ID code, and passcode to attend the hearing will be provided to the participants by email before the hearing, and the participants will be prohibited from distributing that information to anyone not participating in the hearing.

10. Attachment A to this Decision provides the information addressing how to use the Zoom platform for remotely participating in the hearing. Attachment B outlines procedures and requirements for marking and formatting exhibits to facilitate the efficient and smooth electronic evidence presentations at the hybrid hearing. It is extremely important that the parties carefully review and follow all requirements in this Decision and Attachments A and B.

D. Additional Procedural Notice

11. The parties are on notice that the ALJ will retain the discretion to change the method by which the hearing will be conducted.

12. Additional procedural requirements may be addressed in future interim decisions.

II. ORDER**A. It Is Ordered That:**

1. The Notice of Intervention as of Right, filed by the Trial Staff of the Colorado Public Utilities Commission on April 19, 2024, is acknowledged.

2. The following procedural schedule is adopted to govern this proceeding:

Procedural Activity	Deadline
Answer Testimony	July 19, 2024
Rebuttal Testimony	August 9, 2024
Settlement Deadline	August 16, 2024
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3. The parties shall be held to, and shall comply with, the requirements in this Decision. In addition to other requirements of the Commission's Rules of Practice and Procedure, 4 *Code of Colorado Regulations* 723-1 (e.g., Rule 1202 regarding pre-filed testimony and Rule 1405 regarding discovery procedures), all pre-filed hearing exhibits shall be marked for identification and filed in accordance with this Decision, including Attachment B hereto.

4. A hearing in this matter shall be conducted at the following date, time, and place:

DATE: September 13, 2024

TIME: 9:00 a.m.

5. PLACE: Join by video conference using Zoom at the link to be provided in an email from the Administrative Law Judge²This Decision shall be effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

AVIV SEGEV

Administrative Law Judge

ATTEST: A TRUE COPY

Rebecca E. White,
Director

² Additional information about the Zoom platform and how to use the platform are available at: <https://zoom.us/>. All are strongly encouraged to participate in a test meeting prior to the scheduled hearing. See <https://zoom.us/test>.