

Decision No. R24-0551-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
GRANTING MOTION TO SUSPEND PROCEDURAL
SCHEDULE AND WAIVE RESPONSE TIME AND
VACTING EVIDENTIARY HEARING**

Issued Date: July 31, 2024

I. STATEMENT

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. This filing commenced Proceeding No. 24A-0106W.

2. 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.

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

4. By Decision No. 24A-0391-I, issued June 6, 2024, the undersigned ALJ, among other things, adopted procedures for this Proceeding.

5. On July 19, 2024, Staff filed its Unopposed Motion to Extend Staff's Deadline to File Answer Testimony and to Waive Response Time ("First Unopposed Motion"). In the First Unopposed Motion, Staff stated that the parties have engaged in lengthy discussions and agreed on the outlines of a settlement in principle this week.¹

6. By Decision No. R24-0523-I, issued July 22, 2024, the undersigned ALJ granted the First Unopposed Motion.

7. On July 26, 2024, Staff filed its Unopposed Motion to Suspend the Procedural Schedule and to Waive Response Time ("Second Unopposed Motion"). In the Second Unopposed Motion, Staff states that the parties have reached a final settlement in principle, but have not yet completed the drafting of a settlement agreement.² Staff therefore requests that the remainder of the procedural schedule be vacated, except the deadlines for filing the Settlement Agreement and the evidentiary hearing date, which can be converted to a hearing on the Settlement if the ALJ deems such a hearing necessary.³

8. The Second Unopposed Motion is unopposed, and Staff stated good cause for the granting of Staff's requested relief. Accordingly, response time to the Motion will be waived and the Motion will be granted, as ordered below. The ALJ will vacate the evidentiary hearing scheduled for September 13, 2024, but requests that the parties maintain their availability for a possible hearing on the settlement, to be possibly scheduled by a future decision.

¹ First Unopposed Motion, ¶6.

² Second Unopposed Motion, ¶8.

³ *Id.*, ¶9.

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

1. Response time to the Unopposed Motion to Suspend the Procedural Schedule and to Waive Response Time (“Unopposed Motion”), filed by Trial Staff of the Public Utilities Commission on July 26, 2024, is waived.
2. The Unopposed Motion is granted.
3. All procedural deadlines established by Decision No. 24A-0391-I, except the deadline for the filing of a Settlement Agreement, are vacated.
4. The evidentiary hearing scheduled for September 13, 2024, is vacated.⁴
5. The This 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

⁴ While the evidentiary hearing is vacated, the undersigned Administrative Law Judge requests that the parties maintain their availability for a possible hearing on the settlement, to be possibly scheduled by a future decision.