

Decision No. R19-0605-I

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO**

PROCEEDING NO. 17AL-0771G

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IN THE MATTER OF ADVICE LETTER NO. 919 – GAS FILED BY PUBLIC SERVICE COMPANY OF COLORADO TO INCREASE THE PIPELINE SYSTEM INTEGRITY ADJUSTMENT IN ITS P.U.C. NO. 6 – GAS TARIFF EFFECTIVE JANUARY 1, 2018.

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**INTERIM DECISION OF  
ADMINISTRATIVE LAW JUDGE  
CONOR F. FARLEY  
GRANTING REQUEST TO RESCHEDULE  
PREHEARING CONFERENCE AND  
RESCHEDULING PREHEARING CONFERENCE**

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Mailed Date: July 17, 2019

**I. STATEMENT**

**A. Background**

1. On April 1, 2019, Public Service Company of Colorado (PSCo or Company) filed its 2018 Pipeline System Integrity (PSIA) Annual Report.

2. On April 29, 2019, Staff of the Public Utilities Commission (Staff) filed a challenge to the projects and costs contained in the report. As part of that challenge, Staff requested that the Commission set the 2018 Annual PSIA Report for hearing in accordance with the procedures outlined in paragraphs 63 and 64 of Decision No. R14-0694.<sup>1</sup>

3. On May 21, 2019, the Commission issued Decision No. C19-0431 that referred this proceeding to an Administrative Law Judge (ALJ). The proceeding was subsequently assigned to the undersigned ALJ.

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<sup>1</sup> Decision No. R19-0694 was issued in Proceeding No. 13M-0915G on June 25, 2014.

4. On June 6, 2019, the ALJ issued Decision No. R19-0473-I that scheduled a prehearing conference in this proceeding for 9:00 a.m. on June 20, 2019. The interim decision also directed the Company and Staff to confer in advance of the prehearing conference regarding a schedule for this proceeding and for PSCo to file a report of the results of the conferral on or before June 18, 2019.

5. On June 14, 2019, PSCo filed an Unopposed Motion to Vacate and Reschedule Prehearing Conference and Request for Waiver of Response Time (Unopposed Motion). In the Unopposed Motion, PSCo stated that it and Staff “are working collaboratively to resolve the issues identified by Staff” and that “vacating and rescheduling the prehearing conference for a later date is administratively efficient and supports judicial economy in that it will provide Staff and the Company more time to work together and resolve Staff’s concerns without the need for a hearing or the establishment of a procedural schedule.”<sup>2</sup>

6. On June 14, 2019, the ALJ issued Decision No. R19-0515-I that granted the Unopposed Motion and rescheduled the prehearing conference to July 18, 2019 at 9:00 a.m. The ALJ subsequently issued Decision No. R19-0523-I that moved the start time of the conference to 10:00 a.m. on July 18, 2019.

7. On July 15, 2019, PSCo filed a Notice of Supplemental Filing in Support of 2018 PSIA Actuals Report Filed in April 2019 and Amended Attachment 7 to the Report (Notice) and Attachments A and B thereto that reveal “the path through which PSIA capital expenditures become plant additions” and the “updated revenue requirement,” respectively.<sup>3</sup> PSCo states that it will provide a document containing the type of information in Attachment A in all “future

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<sup>2</sup> Unopposed Motion at 3 (¶¶ 6-7).

<sup>3</sup> Notice at 3 (¶ 6), 4 (¶ 9).

PSIA Actuals Reports.”<sup>4</sup> PSCo further states that it has held “productive discussions” with Staff about Staff’s concerns and it

believes that the supplemental information included in this Notice and the Attachments to this Notice address Staff’s concerns, and the parties agree it is likely that no hearing will be necessary. . . . [PSCo] and Staff believe they will be able to make a filing resolving the issues no later than August 16, 2019.<sup>5</sup>

8. Also on July 15, 2019, the ALJ received an email from Staff’s attorney. The attorneys for PSCo were “cc’d” on the email. In the email, Staff’s attorney cited the Notice and stated that both parties request the prehearing conference scheduled for July 18 be vacated and rescheduled for a date after August 16, 2019 to give the parties more time to resolve their differences.

#### **B. Analysis**

9. The parties have stated good cause to grant their request to vacate and reschedule the prehearing conference. Accordingly, the prehearing conference scheduled for July 18, 2019 at 10:00 a.m. shall be vacated and rescheduled to August 22, 2019 at 10:00 a.m. In addition, the deadline to file the report of the conferral between the parties required by Decision No. R19-0473-I shall be vacated and rescheduled to August 20, 2019.

10. All parties must appear at the prehearing conference. Failure to attend or to participate in the prehearing conference is a waiver of any objection to the rulings made, to the procedural schedule established, and to the hearing dates scheduled during the prehearing conference.

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<sup>4</sup> *Id.* at 3 (¶ 6).

<sup>5</sup> *Id.* at 4-5 (¶ 11).

**II. ORDER**

**A. It Is Ordered That:**

1. The joint request of the parties to vacate and reschedule the prehearing conference currently scheduled for July 18, 2019 is granted.

2. The prehearing conference in this proceeding scheduled for July 18, 2019 is vacated and rescheduled as follows:

DATE: August 22, 2019  
TIME: 10:00 a.m.  
PLACE: Commission Hearing Room B  
1560 Broadway, 2nd Floor  
Denver, Colorado

3. The deadline for Public Company of Colorado to file the report identified above and in Decision No. R19-0473-I is vacated and rescheduled to August 20, 2019.

4. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

CONOR F. FARLEY

Administrative Law Judge

ATTEST: A TRUE COPY

Doug Dean,  
Director