

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 19A-0471E

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR DEFERRED ACCOUNTING TREATMENT FOR ELECTRIC VEHICLE MAKE-READY INFRASTRUCTURE PROJECTS.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
CONOR F. FARLEY
GRANTING NOTICE OF SETTLEMENT
IN PRINCIPLE AND UNOPPOSED
MOTION TO AMEND THE PROCEDURAL SCHEDULE,
AND REQUEST FOR WAIVER OF RESPONSE TIME**

Mailed Date: January 21, 2020

I. STATEMENT

A. Background

1. A more complete background of this proceeding is included in Decision Nos. R19-0848-I and R20-0014-I that issued on October 18, 2019 and January 7, 2020, respectively. The background relevant to this Decision is provided below.

2. On November 13, 2019, the undersigned Administrative Law Judge (ALJ) issued Decision No. R19-0921-I that established the schedule for this proceeding as follows:

<u>Event:</u>	<u>Date/Deadline:</u>
Answer Testimony	January 8, 2020
Rebuttal/Cross-Answer Testimony	January 31, 2020
Prehearing Motions Corrected Testimony Settlement Agreement(s)	February 7, 2020
Hearing	February 19-20, 2020
Statements of Position	March 11, 2020

3. On January 7, 2020, the ALJ granted-in-part and denied-in-part the Unopposed Motion to Modify Procedural Schedule, Modify Response Time to Discovery on Answer Testimony, and for a Waiver of Response Time. The ALJ granted the parties’ request to modify the schedule as follows:

<u>Event:</u>	<u>Original Deadline:</u>	<u>Proposed Modified Deadline</u>
Answer Testimony	January 8, 2020	January 17, 2020
Rebuttal/Cross-Answer Testimony	January 31, 2020	February 7, 2020
Prehearing Motions Corrected Testimony Settlement Agreement(s)	February 7, 2020	February 10, 2020

Otherwise, the scheduled dates/deadlines remained the same, including the hearing dates of February 19 and 20, 2020.

4. On January 16, 2020, Public Service Company of Colorado (PSCo) filed a Notice of Settlement in Principle and Unopposed Motion to Amend the Procedural Schedule and Request for Waiver of Response Time (Unopposed Motion). PSCo states in the Unopposed Motion that “there is a settlement in principle among nearly all Parties in this proceeding. Any party not joining the settlement has disclosed that, subject to client approval, they will not oppose the settlement.”¹ PSCo requests that the procedural schedule be vacated, a deadline of January 29, 2020 be established for the parties to file the settlement documents including supporting testimony, and February 19, 2020 be reserved for an evidentiary hearing on the

¹ Unopposed Motion at 1. (Footnote 1 omitted)

settlement if the ALJ determines it is necessary. PSCo states that no party opposes the Unopposed Motion.

B. Analysis

5. PSCo has stated good cause to grant the Unopposed Motion. Accordingly, the Unopposed Motion shall be granted. The hearing dates shall be maintained. If the parties believe after drafting the settlement documents and supporting testimony that any evidentiary hearing addressing the settlement will take only one day and/or that the evidentiary hearing should take place before February 19 and 20, 2020, they can state as much in the documents filed on January 29, 2020.

6. Because no party opposes it, response time to the Unopposed Motion shall be waived.

II. ORDER

A. It Is Ordered That:

1. The Notice of Settlement in Principle and Unopposed Motion to Amend the Procedural Schedule and Request for Waiver of Response Time (Unopposed Motion) filed on January 16, 2020 by Public Service Company of Colorado is granted.

2. Response time to the Unopposed Motion is waived.

3. The parties shall file the settlement documents, including testimony, by January 29, 2020.

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

A handwritten signature in cursive script that reads "Doug Dean".

Doug Dean,
Director