

Decision No. R20-0134-I

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

PROCEEDING NO. 19R-0654E

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IN THE MATTER OF THE PROPOSED AMENDMENTS TO RULES REGULATING ELECTRIC UTILITIES, 4 CODE OF COLORADO REGULATIONS 723-3, RELATING TO INTERCONNECTION PROCEDURES AND STANDARDS.

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**INTERIM DECISION OF  
ADMINISTRATIVE LAW JUDGE  
STEVEN H. DENMAN  
GRANTING UNOPPOSED MOTION  
FOR EXTENSION OF TIME**

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Mailed Date: March 2, 2020

**I. STATEMENT**

1. On November 25, 2019, the Colorado Public Utilities Commission issued a Notice of Proposed Rulemaking (NOPR) to amend the rules governing Interconnection Standards and Procedures (Interconnection Rules) within the Commission's Rules Regulating Electric Utilities, 4 *Code of Colorado Regulations* (CCR) 723-3.<sup>1</sup> The NOPR proposed substantive changes to the Interconnection Rules. The NOPR adopted a schedule for filing initial and reply comments. A public rule-making hearing was scheduled for February 3, 2020 at 9:00 a.m.

2. On January 7, 2020, initial comments were filed by the City and County of Denver (Denver), the Colorado Energy Office (CEO), the Colorado Rural Electric Association (CREA), the Colorado Solar and Storage Association (COSSA) and the Solar Energy Industries

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<sup>1</sup> Decision No. C19-0951 (mailed on November 25, 2019).

Association (SEIA), Public Service Company of Colorado (Public Service), and Western Resource Advocates (WRA).

3. On January 21, 2020, reply comments were filed by Black Hills Colorado Electric, LLC (Black Hills), COSSA and SEIA, Public Service, SunShare, LLC (SunShare), Vote Solar, and WRA. On January 22, 2020, reply comments were filed by CEO and CREA. On January 31, 2020, public comments were filed by Pivot Energy.

4. Administrative Law Judge (ALJ) Steven H. Denman was assigned to preside over this proceeding. Pursuant to the NOPR, the public rule-making hearing was held on February 3, 2020. Oral comments were presented by representatives of Public Service, CEO, COSSA and SEIA, Black Hills, and SunShare. The Participants at the rule-making hearing requested time before filing post-hearing comments within which to attempt to negotiate consensus rules.<sup>2</sup> The ALJ agreed, and by Bench Order, the ALJ set March 4, 2020, as the due date for Participants to file post-hearing comments.

5. On March 2, 2020, COSSA and SEIA filed an Unopposed Motion for an Extension of Time (Motion), seeking an extension of time to March 20, 2020 for Participants to file post-hearing comments. The Motion states that some of the Participants have been meeting and communicating regarding potential consensus rules relating to non-exporting/inadvertent export only interconnection rules. The Motion also states some Participants are getting close to a consensus, but still have to work out additional issues and details; hence, COSSA and SEIA request the extension of time. Counsel for COSSA and SEIA report the following results of their conferral with other Participants: Public Service, Black Hills, WRA, CREA, CEO, and Vote

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<sup>2</sup> Interested persons, government agencies, or organizations that filed written comments or made oral comments at the public rule-making hearing will be referred to in this Decision as “Participants.”

Solar support the Motion and the requested extension; Denver has no objection to the Motion; and SunShare takes no Position.<sup>3</sup> The Motion is thus unopposed.

6. Time is of the essence in ruling on the Motion, because the post-hearing comments are due on March 4, 2020.

7. Because the Motion is unopposed and time is of the essence, the ALJ will *sua sponte* waive responses to the Motion, pursuant to Rule 1308(c) of the Rules of Practice and Procedure, 4 CCR 723-1.

8. The ALJ finds that the Motion states good cause, and he will grant the Motion. The deadline for filing the post-hearing comments will be extended to and including March 20, 2020.

## II. ORDER

### A. It Is Ordered That:

1. The Unopposed Motion for an Extension of Time (Motion) filed by the Colorado Solar and Storage Association and the Solar Energy Industries Association on March 2, 2020, is granted.
2. Response time to the Motion shall be waived.
3. The post-hearing comments shall be due on or before March 20, 2020.

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<sup>3</sup> Motion at pages 1 and 2.

4. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

STEVEN H. DENMAN

Administrative Law Judge

ATTEST: A TRUE COPY

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

Doug Dean,  
Director