

Decision No. R20-0528-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 20F-0243E

UTILITIES BOARD OF THE CITY OF LAMAR,

COMPLAINANT,

V.

SOUTHEAST COLORADO POWER ASSOCIATION,

RESPONDENT.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
CONOR F. FARLEY
CONVERTING IN-PERSON HEARING INTO REMOTE
HEARING AND PROVIDING INSTRUCTIONS**

Mailed Date: July 17, 2020

I. STATEMENT

A. Relevant Background

1. On June 2, 2020, Utilities Board of the City of Lamar (LUB) filed a formal complaint (Complaint) against Southeast Colorado Power Association (SECA).

2. On June 4, 2020, the Commission scheduled the Complaint for an evidentiary hearing on August 17, 2020 starting at 9:00 a.m. On the same date, the Commission served the Order Setting Hearing and Notice of Hearing and other documents on LUB.

3. Also on June 4, 2020, the Commission served on SECA the Complaint, the Order Setting Hearing and Notice of Hearing, and an Order to Satisfy or Answer.

4. On June 10, 2020, the Commission referred this proceeding to an Administrative Law Judge (ALJ). The proceeding was subsequently assigned to the undersigned ALJ.

5. On June 24, 2020, SECA filed its Answer and Counterclaims.

6. On July 14, 2020 LUB filed its Reply to SECA's Counterclaims.

B. Impact of COVID-19 on Hearing

7. On March 10, 2020, Colorado Governor Jared Polis declared a state of emergency over the novel coronavirus pandemic (COVID-19). Since then, Colorado State government and the Commission have been working diligently to address how to safely and effectively manage the challenges presented by COVID-19. These efforts have focused on limiting the disruption to the services delivered by the Commission (and other State agencies), while attempting to mitigate the risks to State employees and the public. For example, the Commission has been conducting its Weekly Meetings remotely, and the Commission has asked members of the public not to attend meetings in person, but to view them by webcast. Finally, public access to the building containing the Commission's offices and hearing rooms has been restricted and it is unclear when the restriction will be lifted.

8. Under these circumstances, the in-person hearing scheduled for August 17, 2020 shall be converted into a remote hearing at which the participants will appear from remote locations, as provided below. The ALJ finds that holding a remote hearing is consistent with current public health advisories to prevent the spread of COVID-19. The ALJ concludes that it is in the parties' and the public interest to hold the hearing in this proceeding as a remote hearing.

C. Instructions for Participating in, and Observing, the Remote Hearing

9. Attachment A to this Decision provides the information addressing how to use the GoToMeeting platform for participating in the remote hearing.

D. Instructions for Presenting Exhibits Electronically at the Remote Hearing

10. Attachment B to this Decision provides instructions for the presentation of exhibits electronically during the evidentiary hearing.

II. ORDER

A. It Is Ordered That:

1. The in-person hearing scheduled for August 17, 2020 is converted into a remote hearing as follows:

DATE: August 17, 2020
TIME: 9:00 a.m.
FOR WEBCASTS: Hearing Room B
METHOD: Join by video conference at the link to be provided by an email from the Administrative Law Judge

2. Nobody should attend the remote hearing in-person.

3. This Order 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