

Decision No. R21-0086-I

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

PROCEEDING NO. 20A-0375E

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IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR APPROVAL OF THE PPA TERMINATION AGREEMENT WITH KEPCO SOLAR OF ALAMOSA, LLC AND AUTHORITY TO ESTABLISH A REGULATORY ASSET AND RECOVER COSTS ASSOCIATED WITH THE PPA TERMINATION AGREEMENT THROUGH THE ELECTRIC COMMODITY ADJUSTMENT.

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**INTERIM DECISION OF  
ADMINISTRATIVE LAW JUDGE  
ROBERT I. GARVEY  
EXTENDING TIME FOR A COMMISSION DECISION**

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Mailed Date: February 17, 2021

**I. STATEMENT**

1. On September 8, 2020, Public Service Company of Colorado filed its verified application seeking Commission approval to terminate the Solar Energy Purchase Agreement with KEPCO Solar of Alamosa, LLC and to recover the costs that are necessary to execute the transaction.

2. On September 18, 2020, the Colorado Office of Consumer Counsel (OCC) filed its Notice of Intervention of Right, Request for Hearing and Entry of Appearance. The OCC listed a series of issues it wishes to investigate.

3. On October 1, 2020, the Colorado Public Utilities Commission Trial Staff filed a Notice of Intervention as of Right, Entry of Appearance, Notice Pursuant to Rule 1007(a), and Request for Hearing.

4. On October 28, 2020, by Minute Order, Proceeding No. 20A-0375E was referred to an Administrative Law Judge (ALJ).

5. On December 1, 2020, by Decision No. R20-0821-I, the parties' proposed procedural schedule was adopted, and an evidentiary hearing was scheduled on April 13 and 14, 2021.

**II. EXTENDING STATUTORY DEADLINE**

6. Because the filing of the application falls under § 40-6-109.5(1), C.R.S. (2019), the time for a Commission decision is 120 days after deemed complete, or February 25, 2021. If the Commission finds that additional time for a decision is necessary, the date may be extended an additional 130 days.

7. Because the parties' proposed schedule calls for a hearing after the statutory deadline, the undersigned shall extend the time for a Commission decision an additional 130 days, or until July 5, 2021.

**III. ORDER**

**A. It Is Ordered That:**

1. The deadline for a Commission decision is extended to July 5, 2021, pursuant to § 40-6-109(1), C.R.S. (2019).

2. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

ROBERT GARVEY

Administrative Law Judge

ATTEST: A TRUE COPY

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

Doug Dean,  
Director