

Decision No. C25-0590-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 24A-0547E

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR APPROVAL OF ITS 2025-2029 DISTRIBUTION SYSTEM PLAN AND THE GRID MODERNIZATION ADJUSTMENT CLAUSE.

PROCEEDING NO. 25A-0061E

IN THE MATTER OF THE APPLICATION FOR APPROVAL OF PUBLIC SERVICE COMPANY OF COLORADO'S AGGREGATOR VIRTUAL POWER PLANT PROGRAM AND TARIFF, ALONG WITH ASSOCIATED PROGRAM BUDGET AND COST RECOVERY METHODOLOGY.

**INTERIM COMMISSION DECISION GRANTING
MOTION FOR PARTIAL VARIANCE FROM DECISION
NO. C25-0261-I TO EXTEND FILING DATE OF
SETTLEMENTS AND STIPULATIONS, AND GRANTING
REQUEST FOR WAIVER OF RESPONSE TIME**

Issued Date: August 13, 2025

Adopted Date: August 13, 2025

I. BY THE COMMISSION

A. Statement

1. On December 16, 2024, Public Service Company of Colorado (“Public Service” or the “Company”) filed its Application for Approval of its 2025-2029 Distribution System Plan (“DSP”) and Grid Modernization Adjustment Clause (“Application”) in this Proceeding. On January 31, 2025, pursuant to Senate Bill (“SB”) 24-218, Public Service filed an Application for Approval of an Aggregator Virtual Power Plant in Proceeding No. 25A-0061E (Proceeding

No. 25A-0061E or “AVPP Application”). This Proceeding is the consolidated docket of the AVPP Application and the DSP Application.

2. By Decision No. C25-0261-I, issued April 8, 2025, the Commission adopted a procedural schedule and scheduled an *en banc* evidentiary hearing. Pursuant to that decision, the deadline for submission of any settlement agreement was August 11, 2025.

3. By this Decision, the Commission grants the Motion for Variance from Decision No. C25-0261-I to Extend Filing Date of Settlement and Stipulations and Request for Waiver of Response time (“Motion”) filed by Public Service on August 11, 2025.

4. The updated filing deadline for any settlements or stipulations is now August 15, 2025.

B. Background

5. On December 16, 2024, Public Service filed its DSP Application. On January 31, 2025, Public Service filed its AVPP Application.

6. By Decision No. C25-0154-I, the Commission deemed the DSP Application complete and granted the requests for permissive intervention filed by Colorado Energy Consumers Group (“CEC”); the City and County of Denver (“Denver”); the Interstate Renewable Energy Council (“IREC”); Pivot Energy Inc. (“Pivot”); the Eastern Metro Area Business Coalition (the “Eastern Metro Area Business Coalition”); the City of Boulder (“Boulder”); Holy Cross Electric Association Inc. (“Holy Cross”); Western Resource Advocates (“WRA”); Tesla, Inc. (“Tesla”); the Southwest Energy Efficiency Project and Natural Resource Defense Counsel, jointly (“SWEEP/NRDC”); Mission:data Coalition, Inc. (“Mission:data”); and filing jointly, the Colorado Solar and Storage Association (“COSSA”), the Solar Energy Industries Association (“SEIA”); the Coalition for Community Solar Access (“CCSA”), and the Advanced Energy United (“AEU”)

(jointly the “Associations for Clean Energy,” or “ACE”). The Commission acknowledged the notices of intervention of right filed by Trial Staff of the Commission (“Staff”), the Office of the Utility Consumer Advocate (“UCA”), and the Colorado Energy Office (“CEO”). By Decision No. C25-0155-I, the Commission deemed the AVPP Application complete and established the parties to the AVPP Proceeding, including CEC; Pivot; Boulder; WRA; AEU; COSSA/SEIA/CCSA; Colorado Renewable Energy Society; Mr. William Althouse; Solar United Neighbors; CEO; UCA; and Staff.

7. By Decision No. C25-0261-I, the Commission consolidated the DSP and AVPP Applications and established a procedural schedule for the consolidated proceeding.

8. Decision No. C25-0261-I established a procedural schedule for this consolidated Proceeding. Relevant to the Motion, the Decision adopting the procedural schedule anticipated that settlements and stipulations, including settlement testimony, would be filed on or before August 11, 2025.

C. Discussion, Findings, and Conclusions

9. On August 11, 2025, the Company filed a Motion seeking a variance from the August 11, 2025 deadline for submission of any settlement agreements in this Proceeding. The Company states that most parties to the Proceeding are involved in settlement discussions and are “working diligently towards a partial or complete resolution of certain issues in this consolidated proceeding” but require more time to reach partial or complete agreement.¹ Public Service states that it and certain parties have made “material progress towards resolving issues associated with the AVPP Application and are in the process of reducing their agreements

¹ Motion, ¶ 5.

to a formal settlement agreement. As that process continues, it is possible that issues related to the DSP Application also could be resolved in whole or part through settlement or stipulation.”²

10. Pursuant to Commission Rule 1003, the Commission may grant waivers or variances from tariffs, Commission rules, and substantive requirements contained in Commission decisions for good cause shown. We find good cause to grant the Motion filed by Public Service and to waive remaining response time as requested in the Motion. The Company states that the Motion is unopposed. We agree that there is value to stakeholders, the Commission, and the general public in allowing settlement talks to continue and that a filing by August 15, 2025, will enable the Commission sufficient time to review any agreements prior to the evidentiary hearing beginning on August 25, 2025. We therefore grant the Motion.

II. ORDER

A. It Is Ordered That:

1. The Motion filed by Public Service Company of Colorado on August 11, 2025, is granted, consistent with the discussion above.
2. The deadline to file a Notice of Settlement is August 15, 2025, for this Proceeding.

² Motion, ¶ 6.

3. This Decision is effective immediately upon its Issued Date.
- a. **ADOPTED IN COMMISSIONERS' WEEKLY MEETING
August 13, 2025.**

(S E A L)



ATTEST: A TRUE COPY

Rebecca E. White,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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MEGAN M. GILMAN

TOM PLANT

Commissioners