

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

PROCEEDING NO. 21A-0141E

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IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR APPROVAL OF ITS 2021 ELECTRIC RESOURCE PLAN AND CLEAN ENERGY PLAN.

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**INTERIM COMMISSION DECISION SETTING  
SHORTENED RESPONSE TIME TO MOTION TO  
INITIATE NEAR-TERM PROCUREMENT**

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Issued Date: August 27, 2025

Adopted Date: August 27, 2025

**I. BY THE COMMISSION**

**A. Statement**

1. On August 22, 2025, Trial Staff of the Commission (“Staff”), the Colorado Energy Office (“CEO”), the Colorado Office of the Utility Consumer Advocate (“UCA”), and Public Service Company of Colorado (“Public Service” or the “Company”) (collectively, the “Joint Movants”) filed a motion seeking that the Commission initiate a Near-Term Procurement (“NTP”) (“NTP Motion”). Joint Movants request that the Commission adopt a proposed schedule set forth in the NTP Motion and shorten response time to seven days from the filing date; *i.e.*, August 29, 2025.

2. Through this Decision, we grant the requested shortened response time. The substance of the NTP Motion will be addressed separately through future order.<sup>1</sup>

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<sup>1</sup> Given the short timeframe requested, consideration of the motion may necessarily need to be addressed through a future Commission Deliberation Meeting the week of September 1, 2025, rather than at the Commission’s regularly schedule weekly meeting.

**B. Discussion, Findings and Conclusion**

3. The NTP Motion seeks to initiate the NTP to procure tax-advantaged clean generation and firm generation, in light of the recent passage of H.R. 1 by Congress and recent directives from Governor Polis. Through the NTP Motion, Joint Movants request authorization for Public Service to issue a Request for Proposals (“RFP”) and for approval of bid solicitation and evaluation process for the NTP, and argue that time is of the essence because developers and the Company need rapid project approvals in order to take steps for tax credit qualifications with key windows under the first U.S. House of Representatives Bill (“H.R. 1”) and recently issued U.S. Department of Treasury/Internal Revenue Service guidance regarding “commencing construction” closing mid-year 2026.

4. The NTP Motion states that the goal of the NTP “is to integrate maximal clean energy by securing as much cost-effective electric generation under construction or placed in service as soon as possible...” consistent with goals articulated in the recent letter from Governor Polis on August 1, 2025 (“Governors Letter”).<sup>2</sup> Within its representations, the NTP Motion includes that the NTP will not delay the Just Transition Solicitation (“JTS”) in Proceeding No. 24A-0442E, and that the State and Public Service system need multiple solicitations. The NTP is proposed as a process that builds on existing 2021 Electric Resource Plan & Clean Energy Plan (“2021 ERP & CEP”) RFP and can move more quickly than the JTS, all while the JTS also moves forward.

5. The NTP is proposed to include up to: (1) 4,000 MW (nameplate) of renewable energy and hybrid projects; (2) 200 MW (accredited) of thermal generation; and (3) an additional 300 MW (accredited) of firm dispatchable generation (*e.g.*, thermal generation or energy storage)

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<sup>2</sup> Governor’s Letter, at 2, <https://drive.google.com/file/d/19yUgVo7UerkIulGzdZ3tlwZYCNXboAEZ/view>.

that will be evaluated based on operational capabilities and ability to contribute to resource adequacy.

6. Joint Movants represent that the NTP is "a carefully crafted solution developed by the Joint Movants after extensive consultation, alternative evaluation, and negotiation.

7. The NTP Motion includes that the Company conferred by e-mail with all parties to this proceeding in advance of filing the NTP Motion. Joint Movants also represent that they held a teleconference to discuss the NTP Motion and invited all counsel to this proceeding and the Just Transition Solicitation, Proceeding No. 24A-0442E. The Company further represents that it proposed a procedural schedule for formal responses to the substantive requests in the NTP Motion, and that all parties reserve their rights to respond to the substance of the NTP Motion.

8. Joint Movants include that the shortened seven-day response time is unopposed based on written and oral conferrals.

9. We find good cause to grant the unopposed request for shortened notice. Responses to the NTP Motion shall be filed by 5:00 p.m., Friday, August 29, 2025.

## **II. ORDER**

### **A. It Is Ordered That:**

1. We grant the request for shortened notice requested within the motion seeking that the Commission initiate a Near-Term Procurement ("NTP Motion") jointly filed August 22, 2025, by Trial Staff of the Commission, the Colorado Energy Office, the Colorado Office of the Utility Consumer Advocate, and Public Service Company of Colorado.

2. Responses to the NTP Motion shall be filed by 5:00 p.m. August 29, 2025.

3. This Decision is effective immediately upon its Issued Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
August 27, 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

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Commissioners