

Decision No. C25-0659

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 22A-0563E

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR THE CONVERSION OF PAWNEE GENERATING STATION FROM COAL OPERATIONS TO NATURAL GAS OPERATIONS.

**COMMISSION DECISION GRANTING MOTION AND
WAIVER OF RESPONSE TIME**

Issued Date: September 10, 2025
Adopted Date: September 3, 2025

I. BY THE COMMISSION

A. Statement

1. On December 20, 2022, Public Service Company of Colorado (“Public Service” or the “Company”) filed an Application for a Certificate of Public Convenience and Necessity for the Conversion of the Pawnee Generating Station from Coal Operations to Natural Gas Operations (“Application”).

2. By Decision No. C23-0130, issued on February 23, 2023, the Commission set the Application for hearing and established the parties to this proceeding.

3. By Decision C23-0375-I, issued on June 6, 2023, the Commission referred the matter to an Administrative Law Judge (“ALJ”).

4. On October 26, 2023, Public Service filed a Joint Motion to Approve Settlement Agreement and the Settlement Agreement.

5. By Decision No. R24-0194 (“Recommended Decision”), issued on March 29, 2024, ALJ Melody Mirbaba approved the Settlement Agreement with modifications and granted the Application as modified by the Settlement Agreement and the Recommended Decision.

6. The Recommended Decision become the decision of the Commission on April 18, 2024.

7. On August 29, 2025, Public Service filed with the Staff of the Colorado Public Utilities Commission (“Trial Staff”) an Unopposed Joint Motion for Partial and Temporary Variance of Paragraph 88 of Decision No. R24-0194 (“Waiver Motion”).

8. This Decision grants the Waiver Motion.

B. Discussion

9. The Waiver Motion explains that in paragraph 88 of the Recommended Decision, the ALJ required the Company to file information explaining an updated calculation and methodology to develop a unit efficiency performance incentive mechanism (“Unit Efficiency PIM”) baseline, along with the resulting baseline and performance metric, no later than September 1, 2025.

10. The Waiver Motion seeks a partial and temporary variance from paragraph 88 so that Public Service may file the Unit Efficiency PIM, and associated required information, September 30, 2025, instead of September 1, 2025. The Waiver Motion explains that the Company and Trial Staff have been engaged in productive discussions regarding the calculation of the Unit Efficiency PIM but need additional time to reach consensus. The additional time is also needed for the Company and Trial Staff to confer with the Colorado Office of the Utility Consumer Advocate (“UCA”) as required by paragraph 88 of the Recommended Decision.

11. The Waiver Motion further explains that because the Pawnee Generating Station is not expected to convert from coal to natural gas operations until December 2025, the requested delay will not materially impact the conversion project nor the implementation of the Unit Efficiency PIM.

12. The Waiver Motion states that it is unopposed by UCA, Natural Resources Defense Council and Sierra Club, and Climax Molybdenum Company, the other parties to this Proceeding.

C. Findings and Conclusions

13. The Commission finds good cause to grant the Waiver Motion.

14. Public Service shall file information explaining an updated calculation and methodology to develop a Unit Efficiency PIM baseline, along with the resulting baseline and performance metric, no later than September 30, 2025.

II. ORDER

A. The Commission Orders That:

1. The Unopposed Joint Motion for Partial and Temporary Variance of Paragraph 88 of Decision No. R24-0194 (“Motion”), filed jointly by Public Service Company of Colorado and Staff of the Colorado Public Utilities Commission on August 29, 2025, is granted.

2. The remaining response time to the Motion is waived.

3. The 20-day time-period provided by § 40-6-114(1), C.R.S., to file an Application for Rehearing, Reargument, or Reconsideration shall begin on the first day after the effective date of this Decision.

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

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
September 3, 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

Commissioners

COMMISSIONER TOM PLANT,
ABSENT