

Decision No. R25-0644-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 25F-0250EG

RICK RIEGER,

COMPLAINANT,

V.

PUBLIC SERVICE COMPANY OF COLORADO,

RESPONDENT.

**INTERIM DECISION
VACATING HEARING AND
ESTABLISHING DEADLINE**

Issued Date: September 5, 2025

I. STATEMENT AND SUMMARY

1. This Decision vacates the September 22, 2025 evidentiary hearing; establishes a September 29, 2025 deadline by which the parties will be required to file a joint motion to dismiss the above-captioned Complaint (“Complaint”) or a status report as detailed herein; and requires Complainant Rick Reiger (“Complainant”) to make filings required by Decision No. R25-0529-I (issued July 22, 2025) by October 14, 2025 if certain conditions exist.

II. PROCEDURAL HISTORY¹

2. On June 6, 2025, Complainant initiated this matter by filing the above-captioned Complaint (“Complaint”) with the Colorado Public Utilities Commission (“Commission”) against Public Service Company of Colorado (“Public Service” or “Respondent”).

¹ Only the procedural history necessary to understand this Decision is included.

3. On June 9, 2025, the Commission’s Director scheduled an evidentiary hearing on the Complaint for August 25, 2025, among other things.²

4. During its weekly meeting held June 18, 2025, the Commission referred this matter by minute entry to an administrative law judge (“ALJ”) for disposition.

5. On June 30, 2025, Respondent filed its “Answer . . . to Formal Complaint.”

6. On July 21, 2025, the ALJ continued the August 25, 2025 hearing to September 22, 2025; determined that the hearing will be fully remote; established procedures relating to the hearing; provided information to facilitate the parties’ participation in the hearing; provided the parties important advisements; and required Complainant to make one or more filings by August 12, 2025 (as explained below).³

7. Complainant did not make the required filings.

8. On August 26, 2025, Respondent filed a “Notice of Settlement.” (“Notice”).

III. FINDINGS AND CONCLUSIONS

9. The Notice states that Complainant authorizes Public Service to file the Notice and explains that the parties have reached a settlement in principle fully and amicably resolving the disputes in the Proceeding.⁴ Given the parties’ productive negotiations, the Notice asks that the September 22, 2025 hearing be vacated. Public Service and Complainant plan to “more formally seek the closure of this proceeding” before the September 22, 2025 hearing date.

10. Given that the Notice is unopposed, and since the hearing is closely approaching, the ALJ finds good cause to waive the response time to the Notice and does so.⁵ The ALJ finds

² See Order Setting Hearing and Notice of Hearing filed June 9, 2025.

³ Decision No. R25-0529-I (issued July 22, 2025).

⁴ Notice at 1.

⁵ See Rule 1400(b) of the Commission’s Rules of Practice and Procedure, 4 *Code of Colorado Regulations* (“CCR”) 723-1.

that the Notice establishes good cause to vacate the September 22, 2025 hearing. Indeed, doing so allows the parties to focus on finalizing their settlement rather than preparing for a hearing. As such, vacating the hearing supports the parties' efforts to reach an agreement resolving their disputes, consistent with the Commission's policy to encourage settlement.⁶ For the reasons discussed, the ALJ will vacate the September 22, 2025 hearing in this matter.

11. To ensure this matter moves forward, the ALJ will establish a September 29, 2025 deadline by which the parties must file a motion to dismiss the Complaint if they have reached a full and final agreement resolving their disputes.⁷ If the parties have not reached a full and final settlement agreement by that time, they must instead file a status report indicating the status of their settlement negotiations, including when they expect to finalize an agreement or whether they have reached an impasse and are unable to reach a settlement. If the latter is the case, the filing must include proposed hearing dates for which the parties and their witnesses are available. In that circumstance, the ALJ will schedule an evidentiary hearing on the Complaint.

12. Decision No. R25-0529-I requires Complainant to make a filing by August 12, 2025 that: (a) provides a valid email address at which he may be served with box.com information, Zoom information, and decisions or filings in this Proceeding; and (b) clarifies whether the Complaint is filed on Complainant's behalf or on behalf of Rieger Investments LLC ("Complainant's Company").⁸ If the Complaint is on behalf of Complainant's Company, the Decision requires that Complainant's filing establish that Complainant's Company is eligible to be represented by a non-attorney by demonstrating that the Complainant's Company does not have more than three owners, the amount in controversy does not exceed \$15,000, and that the non-

⁶ Rule 1408, 4 CCR 723-1.

⁷ The parties are not required to file their settlement agreement, if any.

⁸ Decision No. R25-0529-I at 8.

attorney who will represent the Company has authority to represent Complainant's Company in this Proceeding consistent with the legal authority discussed in Decision No. R25-0529-I; *or* Complainant must cause counsel to enter an appearance on behalf of Complainant's Company (by the same deadline).⁹

13. As noted, Complainant failed to make the above-required filings. Given that the parties are working toward a full and final resolution of this matter, the ALJ will stay the above requirements, notwithstanding the fact that Complainant failed to meet them. If the parties do not file a motion to dismiss the Complaint on September 29, 2025, and their status report indicates that they are unable to reach a full and final agreement, the stay on these requirements will be automatically lifted, and Complainant will be required to make the filings on or by October 14, 2025. If the parties file a motion to dismiss, or their status report provides a timeline for when they expect to finalize a full and final agreement resolving their disputes, the stay on these requirements will continue until further order.

IV. ORDER

A. **It Is Ordered That:**

1. The response time to the Notice of Settlement filed on August 26, 2025 is waived.
2. The fully remote evidentiary hearing scheduled for September 22, 2025 is vacated.
3. On or by **5:00 p.m. on September 29, 2025**, Complainant Rick Rieger ("Complainant") and Public Service Company of Colorado ("Respondent") (collectively, "the parties") must file a motion to dismiss the Complaint if they have reached a full and final agreement resolving their disputes. If the parties have not reached a full and final settlement agreement by that time, they must instead file a status report by the same deadline that: indicates

⁹ *Id.* at 8-9.

the status of their settlement negotiations, including when they expect to finalize an agreement or whether they have reached an impasse and are unable to reach a settlement. If the parties have determined they are unable to reach a settlement, the filing must include proposed hearing dates for which the parties and their witnesses are available.

4. Decision No. R25-0529-I's requirements for Complainant to make certain filings are stayed.¹⁰ Per the above requirements, if the parties' September 29, 2025 filing is a motion to dismiss the Complaint or is a status report that provides a timeline for when they expect to finalize a full and final agreement resolving their disputes, the stay on the referenced requirements in Decision No. R25-0529-I will continue until further order. If the parties file a status report instead of a motion to dismiss the Complaint on September 29, 2025, and their status report indicates that they are unable to reach a full and final agreement, the stay on these requirements will be automatically lifted, effective September 29, 2025, and Complainant will be required to make the filings, as required by the below paragraphs.

5. If the stay on Decision No. R25-0529-I's requirements are automatically lifted under the conditions described above, on or by **5:00 p.m. on October 14, 2025**, Complainant must make a filing in this Proceeding that:

- provides a valid email address at which he may be served with box.com information, Zoom information, and decisions or filings in this Proceeding; and
- clarifies whether the Complaint is filed on Complainant's behalf or on behalf of Rieger Investments LLC ("Complainant's Company").

6. If the Complaint is on behalf of Complainant's Company, Complainant must:

- establish that Complainant's Company is eligible to be represented by a non-attorney by demonstrating that the Complainant's Company does not have more than three owners, the amount in controversy does not exceed \$15,000, and that the non-attorney who will represent the Company has authority to represent Complainant's Company in

¹⁰ Decision No. R25-0529-I at 8-9 (issued July 22, 2025).

this Proceeding consistent with the legal authority outlined in Decision No. R25-0529-I in its **October 14, 2025** filing; *or*

- cause counsel to enter an appearance on behalf of Complainant's Company on or by **5:00 p.m. on October 14, 2025**.

7. The filing(s) required by Ordering Paragraphs 6 and 7 (above) must be received by the Commission by the above deadline (**5:00 p.m. on October 14, 2025**).

8. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

MELODY MIRBABA

Administrative Law Judge

ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Rebecca E. White".

Rebecca E. White,
Director