

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 25A-0281G

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR APPROVAL OF ITS GAS PERFORMANCE INCENTIVE MECHANISM ("GPIM") FOR THE GAS UTILITY.

**INTERIM DECISION
SETTING PROCEDURAL SCHEDULE AND SCHEDULING
REMOTE EVIDENTIARY HEARING**

Issued Date: September 5, 2025

I. STATEMENT

1. On June 30, 2025, Public Service Company of Colorado ("Public Service" or the "Company") filed a Verified Application for Approval of its Gas Performance Incentive Mechanism ("GPIM").

2. The Company seeks approval of certain costs and gas purchase quantities to be included or specifically excluded from the GPIM sharing calculations as set forth in the application.

3. Public Service also requests that the Commission issue an order in this proceeding that authorizes Public Service to implement tariff changes for the GPIM through a compliance advice letter on not less than two business days' notice, with the financial application of the GPIM being effectuated through quarterly Gas Cost Adjustment ("GCA") filings.

4. On July 14, 2025, the Colorado Office of the Utility Consumer Advocate ("UCA") filed an Intervention as of Right and Request for Hearing. As grounds for its Intervention, UCA lists a series of requests and plans to inquire into whether the proposed cost and quantity exclusions

are in the public interest and whether use of interest payable to ratepayers from the Gas Price Risk Management Plan used to offset any penalty due from the Company is in the public interest.

5. On August 1, 2025, Trial Staff of the Colorado Public Utilities Commission (“Staff”) filed an Intervention as of Right and Request for Hearing. Staff lists in its intervention some areas of inquiry it intends to examine.

6. On August 27, 2025, the Public Service filed its Unopposed Motion to Approve Consensus Procedural Schedule and Request Waiver of Response Time (“Unopposed Motion”).

II. PARTIES TO THE PROCEEDING

A. Interventions of Right

7. Staff, and UCA filed timely notices of intervention by. In their filings, they outline several issues they plan to address in this Proceeding and request a hearing.

8. Pursuant to Rule 4 *Code of Colorado Regulations* (CCR) 723-1-1401(b) of the Commission’s Rules of Practice and Procedure, no decision is required in response to appropriately-filed notices of intervention by right. The notices of intervention of right are acknowledged. Staff, CEO and the UCA are parties to this Proceeding.

III. TIME TO ISSUE A FINAL COMMISSION DECISION

9. Under § 40-6-109.5(1), C.R.S., when a party files testimony with an application, the Commission must issue a final decision within 120 days after the application is deemed complete, unless the Commission finds that additional time is necessary, in which case, this deadline may be extended by an additional 130-days.¹ If the Commission does not make a determination that an application is complete within 15 days of the application’s notice period’s

¹ § 40-6-109.5(1), C.R.S.

expiration, and otherwise does not find that the application is not complete or that more information is necessary, the application is automatically deemed complete.²

10. The Commission deemed the Application complete on August 6, 2025. Since the Company filed testimony with its Application, the Commission must issue a final decision within 120 days of date the Application was deemed complete, unless the Commission finds that additional time is necessary.

11. This does not allow enough time for the parties to develop the record and to conduct discovery; to hold an evidentiary hearing; for a recommended decision to issue; for the parties to file exceptions; and for the Commission to address exceptions and issue a final decision. For these reasons, the ALJ finds that additional time is necessary, and therefore extends the statutory deadline for a final Commission decision by 130 days, as allowed by § 40-6-109.5(1), C.R.S.

IV. PROCEDURAL SCHEDULE FOR REMOTE HEARING

12. The Parties proposed the following procedural schedule in the Unopposed Motion:

Event	Deadline
Answer Testimony	October 10, 2025
Rebuttal/Cross Answer Testimony	November 7, 2025
Stipulations/Settlement Agreement	November 10, 2025
Prehearing Motions	November 10, 2025
Settlement Testimony	November 13, 2025
Corrections to Pre-filed Testimony & Exhibits; Witness Matrix	November 13, 2025
Response to Prehearing Motions	November 18, 2025

² Rule 1303(c)(IV), 4 CCR 723-1.

Event	Deadline
Hearing	November 20-21, 2025
Statements of Position	December 12, 2025

13. The proposed procedural schedule and discovery procedures are acceptable and shall be adopted.

14. The discovery procedures contained in Commission Rule 1405 shall govern this proceeding. Discovery requests served on Friday or the day before a holiday must be served by 3:00 p.m. to be considered served that day, or it will be deemed served the next business day.

15. The parties agree that Rules 1100 and 1101 will govern Confidential and Highly Confidential information filed with the Commission or served as discovery responses in this proceeding.

16. The hearing shall be held remotely.

V. REMOTE EVIDENTIARY HEARING

17. A hearing in the above captioned proceeding shall be scheduled for November 11-12, 2025, at 9:00 a.m. as a remote hearing. At the remote hearing, the parties may call witnesses, present evidence, and make arguments in support of their position. Evidence includes documentary exhibits, testimony, and other tangible items that a party wishes the ALJ to consider in reaching a decision as to the allegations in this case.

18. Attachment A to this Decision provides the information addressing how to use the Zoom platform for remotely participating in the remote hearing. Attachment B outlines procedures and requirements for marking and formatting exhibits to facilitate the efficient and smooth

electronic evidence presentations at the remote hearing. It is extremely important that the parties carefully review and follow all requirements in this Decision and Attachments A and B.

19. To minimize the potential that the video-conference part of the hearing may be disrupted by non-participants, the link, meeting ID code, and passcode to attend the hearing will be provided to the participants by email before the hearing, and the participants will be prohibited from distributing that information to anyone not participating in the hearing.

A. Unified Numbering System for Hearing Exhibits

20. The Public Utilities Commission Administrative Hearings Section uses box.com to receive and manage exhibits that are first presented in this type of hybrid evidentiary hearing.

21. As such, it is essential that the parties ensure they are able to access and use box.com prior to the evidentiary hearing. To this end, the parties will be provided box.com links and instructions to: (a) upload exhibits for use during the hearing; and (b) download exhibits once they are presented during the hearing.

22. Each party must (a) pre-mark all hearing exhibits with a hearing exhibit number within their assigned number block before uploading the exhibits to the party's designated box.com folder; (b) sequentially page-number each page of exhibits longer than two pages, with the first page number as page 1, regardless of content, before uploading the exhibits to the party's designated box.com folder; and (c) upload all pre-marked exhibits into each party's respective designated box.com folder prior to the presenting them during the hearing.

23. Attachment B outlines procedures and requirements for marking and formatting exhibits aimed at facilitating efficient and smooth electronic evidence presentations at the remote hearing. It is very important that the parties carefully review and follow all requirements in this Decision and Attachments A and B.

24. To efficiently organize the numbering and preparation of exhibits for the hearing, the parties shall use a unified numbering system for all hearing exhibits. Blocks of hearing exhibit numbers are assigned as follows:

- Public Service is assigned hearing exhibit numbers 100 to 299;
- UCA is assigned hearing exhibit numbers 300 to 399;
- Staff is assigned hearing exhibit numbers 400 to 499

VI. ORDER

A. It is Ordered That:

1. Consistent with the above discussion, the deadline for a final Commission decision to issue in this Proceeding is extended by 130 days, per § 40-6-111, C.R.S.

2. The Colorado Public Utilities Commission Trial Staff and the Colorado Office of the Utility Consumer Advocate are acknowledged as parties as of right in this Proceeding.

3. The procedural schedule as stated in the Unopposed Motion and contained above is adopted.

4. A remote hearing is scheduled as follows:

DATE: November 20 & 21, 2025

TIME: 9:00 a.m.

PLACE: By video conference: using the Zoom web conferencing platform at a link be provided to the participants by email.

5. The parties and witnesses may not distribute the Zoom link and access code to anyone not participating in the remote hearing.

6. All participants in the hearing must comply with the requirements in Attachments A and B to this Decision, which are incorporated herein and, in the discussion above.

7. All evidence must be presented electronically. Each party is responsible for ensuring that they and their respective witnesses: (a) have access to all pre-filed exhibits; and (b) can download and view documents available from box.com during the hearing.

8. The Parties shall be held to the advisements in this Decision.

9. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ROBERT I. GARVEY

Administrative Law Judge

ATTEST: A TRUE COPY

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

Rebecca E. White,
Director