

Decision No. C20-0201-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 19F-0620E

LA PLATA ELECTRIC ASSOCIATION, INC.,

COMPLAINANT,

V.

TRI-STATE GENERATION AND TRANSMISSION ASSOCIATION, INC.,

RESPONDENT.

PROCEEDING NO. 19F-0621E

UNITED POWER, INC.,

COMPLAINANT,

V.

TRI-STATE GENERATION AND TRANSMISSION ASSOCIATION, INC.,

RESPONDENT.

**INTERIM DECISION RESCINDING REFERRAL TO
HEARING COMMISSIONER AND REFERRING
PROCEEDING TO AN ADMINISTRATIVE LAW JUDGE**

Mailed Date: March 26, 2020

Adopted Date: March 25, 2020

I. BY THE COMMISSION

A. Summary

1. La Plata Electric Association, Inc. and United Power, Inc. (collectively, Complainants) filed these formal complaints against Tri-State Generation and Transmission

Association, Inc. on November 5 and 6, 2019, respectively requesting that this Commission determine a just, reasonable and non-discriminatory exit charge for Complainants. On November 25, 2019 by Decision No. C19-0955-I, the Commission consolidated the complaints in Proceeding Nos. 19F-0620E and 19F-0621E and designated Commissioner Frances Koncilja as the Hearing Commissioner.

2. Commissioner Koncilja's term expired in January 2020. She was asked and agreed to continue to serve until a new commissioner was appointed and confirmed in her stead. Commissioner Gilman has since been appointed and confirmed to replace Commissioner Koncilja.

3. As a result, these consolidated proceedings have no current Hearing Commissioner. Therefore we rescind the referral of this proceeding to a hearing commissioner. And, to give this weighty proceeding the expeditious treatment it deserves, we refer the matter to an Administrative Law Judge. We are aware that the parties have moved to schedule a prehearing conference and trust that the Administrative Law Judge will act with all due haste in setting such a conference and developing a workable procedural schedule.

II. ORDER

A. **It Is Ordered That:**

1. The Commission, *en banc*, rescinds its referral of these proceedings to a Hearing Commissioner.

2. These consolidated proceedings are referred to an Administrative Law Judge.

3. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
March 25, 2020.**

(S E A L)



ATTEST: A TRUE COPY



Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JEFFREY P. ACKERMANN

JOHN GAVAN

MEGAN M. GILMAN

Commissioners