

Decision No. R20-0101-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 19A-0471E

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR DEFERRED ACCOUNTING TREATMENT FOR ELECTRIC VEHICLE MAKE-READY INFRASTRUCTURE PROJECTS.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
CONOR F. FARLEY
VACATING HEARING**

Mailed Date: February 13, 2020

I. STATEMENT

1. A more complete background of this proceeding is included in Decision Nos. R19-0848-I, R20-0014-I, and R20-0043-I that issued on October 18, 2019, January 7, 2020, and January 21, 2020, respectively. The background relevant to this Decision is provided below.

2. On November 13, 2019, the undersigned Administrative Law Judge (ALJ) issued Decision No. R19-0921-I that established the procedural schedule for this proceeding. Among other things, Decision No. R19-0921-I scheduled the hearing in this proceeding for February 19 and 20, 2020.

3. On January 16, 2020, Public Service Company of Colorado (PSCo) filed a Notice of Settlement in Principle and Unopposed Motion to Amend the Procedural Schedule and Request for Waiver of Response Time (Unopposed Motion). PSCo states in the Unopposed Motion that “there is a settlement in principle among nearly all Parties in this proceeding. Any party not joining the settlement has disclosed that, subject to client approval, they will not

oppose the settlement.”¹ PSCo requests that the procedural schedule be vacated, a deadline of January 29, 2020 be established for the parties to file the settlement documents including supporting testimony, and February 19, 2020 be reserved for an evidentiary hearing on the settlement if the ALJ determines it is necessary. PSCo states that no party opposes the Unopposed Motion.

4. On January 21, 2020, the ALJ issued Decision No. R20-0043-I that granted the Unopposed Motion. Decision No. R20-0043-I maintained the hearing dates and instructed the parties that “[i]f the[y] [] believe after drafting the settlement documents and supporting testimony that any evidentiary hearing addressing the settlement will take only one day and/or that the evidentiary hearing should take place before February 19 and 20, 2020, they can state as much in the documents filed on January 29, 2020.”²

5. On January 31, 2020, PSCo filed an Unopposed Motion to Approve the Settlement Agreement (Unopposed Motion to Approve) and the Settlement Agreement. In the Unopposed Motion to Approve, PSCo states that the parties believe a hearing on the settlement agreement is unnecessary.³ From January 29 through 31, 2020, the parties filed testimony and exhibits in support of the settlement agreement.

6. Having reviewed the Settlement Agreement and the testimony and exhibits filed in support thereof, the ALJ agrees that a hearing on the Settlement Agreement is unnecessary. Accordingly, the hearing scheduled for February 19 and 20, 2020 shall be vacated. A Recommended Decision addressing the Unopposed Motion to Approve shall issue as soon as reasonably possible.

¹ Unopposed Motion at 1. (Footnote 1 omitted)

² Decision No. R20-0043-I at 3 (¶ 5).

³ Unopposed Motion to Approve at 2 (¶ 1).

II. ORDER

A. It Is Ordered That:

1. For the reasons stated above, the hearing scheduled for February 19 and 20, 2020 is vacated.

2. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

CONOR F. FARLEY

Administrative Law Judge

ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Doug Dean".

Doug Dean,
Director