

Decision No. C23-0055

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO**

PROCEEDING NO. 22M-0490ALL

---

IN THE MATTER OF THE PETITION OF THE COLORADO OFFICE OF THE UTILITY CONSUMER ADVOCATE, THE COLORADO ENERGY OFFICE, AND WESTERN RESOURCE ADVOCATES REQUESTING THE COMMISSION OPEN AN ADMINISTRATIVE PROCEEDING UNDER RULE 1307 OF THE COMMISSION'S RULES OF PRACTICE AND PROCEDURE FOUND AT 4 CCR-723-1 TO INVESTIGATE WHETHER UTILITY PROJECTS MAY BE ELIGIBLE FOR FEDERAL FUNDING UNDER THE INFRASTRUCTURE INVESTMENT AND JOBS ACT OF 2021 AND/OR THE INFLATION REDUCTION ACT OF 2022

---

**COMMISSION DECISION GRANTING PETITION,  
IN PART, AND CLOSING PROCEEDING**

---

---

Mailed Date: January 31, 2023  
Adopted Date: January 11, 2023

**I. BY THE COMMISSION**

**A. Statement, Findings, and Conclusions**

1. On November 4, 2022, the Colorado Office of the Utility Consumer Advocate (UCA), the Colorado Energy Office (CEO), and Western Resource Advocates (WRA) (collectively the Joint Petitioners) filed a petition requesting the Commission open an administrative proceeding, potentially under Rule 1307, 4 *Code of Colorado Regulations* CCR-723-1, to investigate whether federal funding under the Infrastructure Investment and Jobs Act of 2021 (IIJA) and the Inflation Reduction Act of 2022 (IRA) is available to support ongoing or future projects for jurisdictional utilities, the Commission, or relevant governmental entities.

2. The Petition was noticed on November 7, 2022, and no filings, interventions, or pleadings were provided. We therefore consider the petition uncontested.

3. We find it appropriate to grant the Petition, in part. The IJA and IRA are broad in scope and consist of thousands of pages. While we agree that a miscellaneous proceeding to collect reporting may be useful, through separate order opening the proceeding, the Commission will identify specific questions to certain regulated entities and encourage voluntary reporting and comments from all other interested stakeholders. Further, we find it appropriate to ensure that the miscellaneous proceeding does not inhibit any ongoing proceeding, reporting, or other processes currently underway that already address or seek IJA or IRA funding or information.

4. Concurrent with our granting of the Petition, in part, we close this Proceeding and open Proceeding No. 23M-0053ALL. Decisions in that proceeding shall provide the requested information, provide timelines and opportunity for response, and address as needed whether additional inquiry or process, including scheduling of any Commissioner Information Meeting, is necessary.

## II. ORDER

### A. **The Commission Orders That:**

1. The petition filed on November 4, 2022, jointly by the Colorado Office of the Utility Consumer Advocate (UCA), the Colorado Energy Office (CEO), and Western Resource Advocates (WRA), is granted, in part, consistent with the discussion above.

2. This Proceeding is closed.

3. The Commission shall open, through separate order, a miscellaneous proceeding pursuant to Rule 1307, 4 *Code of Colorado Regulations* CCR-723-1, to investigate whether federal funding opportunities under the Infrastructure Investment and Jobs Act of 2021 (IJA)

and the Inflation Reduction Act of 2022 (IRA) are available and shall provide the scope and initial questions presented through separate order opening the proceeding.

- 4. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
January 11, 2023.**

(S E A L)



THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

ERIC BLANK

JOHN GAVAN

MEGAN M. GILMAN

Commissioners

ATTEST: A TRUE COPY

A handwritten signature in cursive script, appearing to read "G. Harris Adams".

G. Harris Adams,  
Interim Director