

Decision No. C23-0091-I

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

PROCEEDING NO. 22A-0315EG

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IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR APPROVAL OF ITS COMBINED ELECTRIC AND NATURAL GAS DEMAND-SIDE MANAGEMENT AND BENEFICIAL ELECTRIFICATION PLAN FOR CALENDAR YEAR 2023.

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**COMMISSION INTERIM DECISION  
AMENDING PROCEDURAL SCHEDULE  
AND VACATING CERTAIN HEARING DAYS**

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Mailed Date: February 9, 2023  
Adopted Date: February 8, 2023

**I. BY THE COMMISSION**

**A. Statement**

1. On February 3, 2023, Public Service Company of Colorado (Public Service or Company) filed a notice of the parties' cross-examination estimates for the evidentiary hearing scheduled in this matter. At the same time, given the limited projected cross-examination estimates reflected below (two hours total), Public Service requested the Commission amend the procedural schedule approved in this Proceeding, and vacate the second and third days of hearing, scheduled for Friday, February 17, 2023, and Tuesday, February 21, 2023.

2. By this Decision, we modify those procedural requests by vacating the first and second days of scheduled hearing, Thursday, February 16, 2023, and Friday, February 17, 2023. The Commission will hold the evidentiary hearing in this matter on Tuesday, February 21, 2023.

**B. Findings and Conclusions**

3. On or about November 28, 2022, all parties except Iconergy, LTD (Iconergy) reached a settlement in principle and filed a Notice of Comprehensive Settlement in Principle and Unopposed Joint Motion to Amend Procedural Schedule and Request for Waiver of Response Time and Expedited Decision. The Settling Parties unanimously agree that the compromises reflected in the Settlement Agreement represent a just and reasonable resolution of this Proceeding, in its entirety, and that the negotiated Settlement is in the public interest, consistent with Colorado law and policy, and will promote administrative efficiency.

4. Iconergy opposes certain aspects of the Company's proposed 2023 Demand Side Management and Beneficial Electrification Plan (2023 DSM & BE Plan) but does not object to any of the modifications to the 2023 DSM & BE Plan made by the Settling Parties in the Settlement Agreement.

5. By Decision No. C22-0778-I, issued December 1, 2022, the Commission approved the parties' request for certain modifications to filing deadlines.

6. Given that the Settlement Agreement is non-unanimous, Public Service's proposed cross-examination matrix for the evidentiary hearing includes 75 minutes for Iconergy to cross Public Service's witness. Public Service requests 45 minute to cross Iconergy's witness. No other parties have reserved time for cross-examination.

7. Public Service notes that, although this does not include time for Commissioner and advisor questions or re-direct, considering the limited cross-examination time estimates, totaling two hours, the parties agree that the hearing can likely be completed in one day. Public Service therefore requests the Commission amend the procedural schedule in this Proceeding and

vacate the second and third days of scheduled hearing, February 17, 2023, and February 21, 2023.

8. Public Service requests the Commission waive response time to the unopposed Motion pursuant to Rule 1308(c) and issue a decision at its Commissioner's Weekly Meeting scheduled for February 8, 2023.

9. Upon consideration of this request, the Commission finds that holding the hearing on the third scheduled day, February 21, 2023, will best accommodate the Commission's schedule. The Commission therefore vacates the first two scheduled days of hearing and will hold the evidentiary hearing in this matter on February 21, 2023. Given the parties' proposed cross-examination times, the Commission finds a one-day hearing will be sufficient for cross-examination times, as well as the Commission's evaluation of the Settlement Agreement.

## **II. ORDER**

### **A. It Is Ordered That:**

1. The Commission grants, in part, and denies, in part, the Motion to Amend Procedural Schedule to Vacate February 17 and 21, 2023 Hearing Dates, filed by Public Service Company of Colorado on February 3, 2023, consistent with the discussion above.

2. Response time to this motion is waived, pursuant to Rule 1308(c).

3. The first day and second scheduled days of the evidentiary hearing, February 16, 2023, and February 17, 2023, are vacated.

4. A remote evidentiary hearing in this matter is scheduled as follows:

DATE: February 21, 2023  
TIME: 9:00 a.m. to 5:00 p.m.  
PLACE: Join by videoconference using Zoom

5. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
February 8, 2023.**

(S E A L)



ATTEST: A TRUE COPY

G. Harris Adams,  
Interim Director

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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Commissioners