

Decision No. C23-0158

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 22AL-0530E

IN THE MATTER OF ADVICE LETTER NO. 1906 - ELECTRIC FILED BY PUBLIC SERVICE COMPANY OF COLORADO TO REVISE ITS COLORADO P.U.C. NO. 8 - ELECTRIC TARIFF TO INCREASE BASE RATE REVENUES, IMPLEMENT NEW BASE RATES FOR ALL ELECTRIC RATE SCHEDULES, AND MAKE OTHER TARIFF CHANGES, TO BECOME EFFECTIVE DECEMBER 31, 2022.

PROCEEDING NO. 22AL-0478E

IN THE MATTER OF ADVICE LETTER NO. 1902 - ELECTRIC FILED BY PUBLIC SERVICE COMPANY OF COLORADO TO REVISE ITS COLORADO P.U.C. NO. 8 - ELECTRIC TARIFF TO INCREASE THE TRANSMISSION COST ADJUSTMENT RIDER, TO BECOME EFFECTIVE JANUARY 1, 2023.

**INTERIM COMMISSION DECISION ADOPTING
PROCEDURAL SCHEDULE; ADOPTING DISCOVERY
PROCEDURES; VACATING PREHEARING
CONFERENCE; FURTHER SUSPENDING THE
EFFECTIVE DATE OF TARIFFS; APPOINTING LIMITED
HEARING COMMISSIONER; AND REFERRING
DISCOVERY DISPUTES TO THE HEARING
COMMISSIONER**

Mailed Date: March 3, 2023
Adopted Date: March 1, 2023

I. BY THE COMMISSION

A. Statement

1. Through this Decision, we adopt the parties' proposed procedural schedule, adopt discovery procedures, vacate the prehearing conference currently scheduled for March 8, 2023,

and designate Eric Blank as the Hearing Commissioner to whom all discovery disputes will be referred.

2. We further extend the suspension of the tariff sheets filed with Advice Letter Nos. 1902-Electric and 1906-Electric, consistent with the discussion below.

B. Discussion, Findings, and Conclusions

3. On February 27, 2023, on behalf of itself and all other parties to this Proceeding, Public Service Company of Colorado (Public Service) filed a Joint Motion for Approval of Consensus Procedural Schedule, Provisions for Discovery, and Request to Vacate March 8, 2023, Prehearing Conference.

4. We adopt the parties’ proposed procedural schedule set forth here:

Supplemental Direct Testimony	March 29, 2023
Answer Testimony	May 3, 2023
Rebuttal Testimony/Cross-Answer Testimony	May 31, 2023
Settlement	June 14, 2023
Settlement Testimony	June 21, 2023
Corrections/Cross-Matrix Witness/Exhibit List, Prehearing Motions	June 28, 2023
Evidentiary Hearing	July 6-7, 10-14, 19-21, 2023
Statements of Position	August 10, 2023

5. Procedures for the evidentiary hearing, including provisions for in-person and remote participation and for the filing and presentation of electronic hearing exhibits, will be established by separate decision.

6. Given the consensus on the procedural schedule, we find that holding a prehearing conference in this Proceeding is unnecessary and therefore vacate the prehearing

conference set for March 8, 2023, at 1:00 p.m.

7. We also find it necessary to extend the suspension period of the tariff pages filed by Public Service with Advice Letter No. 1906-Electric in Proceeding No. 22AL-0530E and Advice Letter No. 1902-Electric in Proceeding No. 22AL-0478E for an additional 130 days until September 7, 2023, and September 8, 2023, respectively, pursuant to § 40-6-111(1), C.R.S.

8. The parties also propose that discovery in this proceeding be governed by Rule 1405 of the Commission's Rules of Practice of Procedure, 4 *Colorado Code of Regulations* (CCR) 723-1, which is the Commission's rule governing discovery and disclosure of prefiled testimony. We agree with that suggestion, and in this instance, we will modify our standard approach to discovery disputes in large rate cases such as this Proceeding. Rather than refer them to an Administrative Law Judge, we designate Eric Blank as a Hearing Commissioner and refer to him any discovery disputes that the parties may present to the Commission. To provide quicker resolution to motions to compel, we set response times to those motions to five days and reserve the right to shorten that response time as needed.

II. ORDER

A. It Is Ordered That:

1. The Joint Motion for Approval of Consensus Procedural Schedule, Provisions for Discovery, and Request to Vacate March 8, 2023 Prehearing Conference filed by Public Service Company of Colorado on February 27, 2023, is granted, with modifications, consistent with the discussion above.

2. The filing deadlines in the proposed procedural schedule set forth in the motion are adopted.

3. The prehearing conference in this Proceeding set for March 8, 2023, at 1:00 p.m. is vacated.
4. The effective dates of the tariff pages filed by Public Service with Advice Letter No. 1906-Electric in Proceeding No. 22AL-0530E and Advice Letter No. 1902-Electric in Proceeding No. 22AL-0478E are suspended for an additional 130 days until September 7, 2023, and September 8, 2023, respectively, pursuant to § 40-6-111(1), C.R.S.
5. Eric Blank is appointed a Hearing Commissioner for the limited purpose of resolving discovery disputes and those disputes are referred to him, consistent with the discussion above.
6. Responses to motions to compel must be filed within five days of the motion being filed.
7. An evidentiary hearing is scheduled as follows:
DATES: July 6-7, 10-14, 19-21, 2023
TIMES: 9:00 a.m. to 5:00 p.m. July 6-7, 10-11, 13-14, 20-21, 2023
1:00 p.m. to 5:00 p.m. July 12 and 19, 2023
PLACE: Commission Hearing Room A, Suite 250, 1560 Broadway, Denver, Colorado
8. Procedures for the evidentiary hearing, including provisions for in-person and remote participation and for the filing and presentation of electronic hearing exhibits, will be established by separate decision.

9. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
March 1, 2023.**

(S E A L)



ATTEST: A TRUE COPY

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

G. Harris Adams,
Interim Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ERIC BLANK

MEGAN M. GILMAN

TOM PLANT

Commissioners