

Decision No. C23-0378

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 23M-0234G

IN THE MATTER OF THE GAS INFRASTRUCTURE PLAN OF PUBLIC SERVICE COMPANY OF COLORADO FILED PURSUANT TO 4 CODE OF COLORADO REGULATIONS 723-4-4552 OF THE COMMISSION'S RULES REGULATING GAS UTILITIES.

**COMMISSION DECISION OPENING PROCEEDING,
ESTABLISHING NOTICE AND INTERVENTION PERIOD,
AND SETTING COMMENT DEADLINES**

Mailed Date: June 8, 2023
Adopted Date: May 31, 2023

TO THE PARTIES IN THIS MATTER AND ALL INTERESTED PERSONS, FIRMS, OR CORPORATIONS:

I. BY THE COMMISSION

A. Statement

1. On May 18, 2023, Public Service Company of Colorado (Public Service or Company) filed its Initial 2023-2028 Gas Infrastructure Plan (Initial GIP). Public Service made the filing consistent with provisions in the Commission's Rules Regulating Gas Utilities, 4 *Code of Colorado Regulations* (CCR) 723-4-4550 to 4555 (Gas Infrastructure Planning Rules), that require the filing of gas infrastructure plans (GIPs) as part of the Commission's updated regulatory framework for gas utilities, adopted through Proceeding No. 21R-0449G (the Gas Rulemaking).

2. By this Decision, we open this Proceeding to examine the Initial GIP filed by Public Service and to provide guidance for the filing of future GIPs required by Rule 723-4-4552.

3. As discussed below, intervention filings are due by June 23, 2023. Initial Comments shall be filed by August 9, 2023, and reply comments are due by September 1, 2023.

B. Discussion

4. The Commission opened the Gas Rulemaking proceeding on October 1, 2021, explaining that significant changes to the Commission's Rules Regulating Gas Utilities were necessary to implement numerous statutory changes and additions adopted in the 2021 Colorado legislative session, establish new regulatory requirements for gas utility planning, and fulfill the express rulemaking requirements placed on the Commission. Included in the final rules adopted through Decision Nos. C21-0769 and C23-0117 are the Gas Infrastructure Planning Rules, which set forth the requirements relating to GIPs. As explained in our Decisions in the Gas Rulemaking, the Gas Infrastructure Rules are intended to work in conjunction with Rules 4725-4734 (the Clean Heat Plan Rules) in the coming years when gas utilities will transition their businesses to achieve the substantial reductions in statewide greenhouse gas emissions required by § 25-7-102(2)(g), C.R.S. Through the filing and consideration of GIPs, the Commission expects to better understand the current gas system and gain additional insights into system planning, forecasting, possible project alternatives, and investments.

5. In Decision No. C22-0760 we recognized that gas infrastructure planning is a new process for the Commission, utilities, and stakeholders. Therefore, Rule 4552(c) allows utilities to file initial GIPs in miscellaneous proceedings that will not be fully adjudicatory, in accordance with the procedures set forth in Rule 4552(b). Initial GIP proceedings, including this

Proceeding, will provide valuable opportunities for the refinement of future adjudicated GIP filings, and we anticipate issuing important guidance for future adjudicated filings in this Proceeding's final decision.

6. Public Service submitted its Initial GIP pursuant to Rules 4552(b) and 4552(c) on May 18, 2023. In its notice accompanying the filing, the Company requests that an intervention period be established. The Company requests that once the parties are determined, it be allowed to collaborate with the parties on a calendar for written initial and responsive comments, and on appropriate discovery parameters.

C. Findings and Conclusions

7. We find good cause to open this Proceeding for the purpose of examining the Initial GIP filed by Public Service on May 18, 2023. Consistent with Rule 4552(b), we establish by this Decision a notice and intervention period and set comment deadlines.

8. Public Service's Initial GIP is available for public inspection by accessing the Commission's E-Filing system at Colorado.gov/dora/puc. **This Decision is the notice that Public Service has filed its Initial 2023-2028 Gas Infrastructure Plan.**

9. The Commission notice period for Public Service's Initial GIP shall extend through June 23, 2023. The intervention period will run concurrent with the notice period. Intervention pleadings, including any notice of intervention of right filed by Staff, shall be filed no later than June 23, 2023.

10. We agree with Public Service that collaboration concerning discovery parameters is appropriate in this miscellaneous proceeding. We intend to set a date for a joint filing proposing discovery parameters once the intervention period ends, as suggested by the Company.

To balance the Commission’s workload in the coming months, we establish comment deadlines through this Decision. The comment deadlines are as follows:

Procedural Activity	Date
<i>Initial GIP Filed</i>	Thursday, May 18, 2023
End of Notice and Intervention Period	Friday, June 23, 2023
Discovery Parameters Filing	TBD by Commission
Initial Comments	Wednesday, August 9, 2023
Reply Comments	Friday, September 1, 2023
Public Comment Hearing	TBD by Commission
Date for Commission Decision, if practicable	Monday, October 16, 2023

11. We will schedule one or more public comment hearings, as required by Rule 4552(b)(III), by separate decision.

II. ORDER

A. The Commission Orders That:

1. This Proceeding is opened to commence the Commission’s examination of the Initial 2023-2028 Gas Infrastructure Plan filed by Public Service Company of Colorado on May 18, 2023.

2. This Decision serves as notice of the Initial 2023-2028 Gas Infrastructure Plan filed by Public Service on May 18, 2023, which notice period shall extend through June 23, 2023.

3. Any person desiring to intervene or participate as a party in this Proceeding shall file a petition for leave to intervene, or under the Commission’s Rules of Practice and Procedure, file other appropriate pleadings to become a party no later than June 23, 2023.

4. Alternatively, persons who do not wish to intervene or become a party, but desire to file comments, may submit written comments through the Commission’s website at colorado.gov/dora/puc. All persons who file an objection, notice of intervention as of right, motion to permissively intervene, or any other appropriate pleading shall do so in accordance with the instructions set forth in the Commission’s Rules of Practice and Procedure and this Decision.

5. Initial comments on Public Service’s Initial 2023-2028 Gas Infrastructure Plan shall be filed no later than August 9, 2023. Reply comments shall be filed no later than September 1, 2023.

6. This Decision is effective upon its Mailed Date.

**ADOPTED IN COMMISSIONERS’ WEEKLY MEETING
May 31, 2023.**

(S E A L)



ATTEST: A TRUE COPY

Rebecca E. White,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ERIC BLANK

MEGAN M. GILMAN

TOM PLANT

Commissioners