

Decision No. C23-0440-I

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 SHORTENING
RESPONSE TIME TO MOTION TO STRIKE**

Mailed Date: July 5, 2023

Adopted Date: July 5, 2023

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. By this Decision, the Commission shortens response time to the Limited Motion to Strike Testimony Impermissibly Using Prohibited Communication (Motion to Strike), filed by Public Service Company of Colorado (Public Service or Company) on June 28, 2023.

2. Through the Motion to Strike, Public Service moves the Commission to strike certain testimony by the City of Boulder in this Proceeding that Public Service alleges improperly cites and relies upon the prohibited communication noticed in this Proceeding by counsel for Trial

Staff of the Commission on June 7, 2023. Specifically, Public Service moves to strike the testimony in Hearing Exhibit 602 at 5:3-4 (“to say nothing of...” through end of sentence) and paragraphs at 14:7 through 15:3, inclusive of footnotes 9 and 20-22.

3. In light of the pending evidentiary hearing beginning July 10, 2023, and the prehearing conference scheduled for July 7, 2023 at 9:00 a.m., Public Service asks that the Commission shorten the response time for the Motion to Strike to Wednesday, July 5, 2023. Public Service states this will provide the Company with an opportunity to evaluate any response before the pre-hearing conference, and support a Commission decision on the Motion to Strike at the pre-hearing conference so that the parties have an opportunity to prepare for the scope of admissible pre-filed testimony at hearing.

4. The Commission finds good cause to shorten response time to the Motion to Strike so that the Commission can rule on the motion prior to the evidentiary hearing, scheduled to start July 10, 2023. Accordingly, the Commission orders that **responses to the Motion to Strike are due by 12:00 p.m. on July 6, 2023**. The Commission anticipates that it will rule on the merits of the Motion to Strike at the prehearing conference scheduled for 9:00 a.m. on July 7, 2023. This shortened deadline ensures the Commission as well as the movant will have opportunity to review any responses prior to the prehearing conference.

II. ORDER

A. **It Is Ordered That:**

1. Response time to the Limited Motion to Strike Testimony Impermissibly Using Prohibited Communication, filed by Public Service Company of Colorado on June 28, 2023, is shortened to 12:00 p.m. on July 6, 2023.

2. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
July 5, 2023.**

(SEAL)



ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Rebecca E. White".

Rebecca E. White,
Director

THE PUBLIC UTILITIES
COMMISSION
OF THE STATE OF COLORADO

ERIC BLANK

MEGAN M. GILMAN

TOM PLANT

Commissioners