

Decision No. C23-0332

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

PROCEEDING NO. 22A-0189E

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IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR ITS FIRST DISTRIBUTION SYSTEM PLAN WHICH INCLUDES A MODEL NON-WIRES ALTERNATIVE SERVICES AGREEMENT AND A MODEL REQUEST FOR PROPOSALS.

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**COMMISSION DECISION GRANTING UNOPPOSED  
MOTION FOR PARTIAL WAIVER OF COMMISSION  
RULE 3528(C)(I) AND WAIVER OF RESPONSE TIME**

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Mailed Date: May 18, 2023

Adopted Date: May 17, 2023

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**I. BY THE COMMISSION**

**A. Statement**

1. By this Decision, we grant the Unopposed Motion for Partial Waiver of Commission Rule 3528(c)(I) and Waiver of Response Time (Motion for Partial Waiver), filed on May 9, 2023, by Public Service Company of Colorado (Public Service or the Company).

**B. Background**

2. Public Service requests a partial waiver of Rule 3528(c)(I), which requires it to file a Phase II Distribution System Plan (DSP) within 120 days of the Commission's order setting the final Phase I DSP. The Company seeks to add a further 65 days to the timeline for the Phase II report. Recommended Decision R23-0080, issued February 2, 2023, approved an unopposed and non-comprehensive settlement agreement and subsequent joint stipulation,

resulting in a Phase I DSP decision and selection of an independent evaluator, DNV Energy Insights, Inc. (DNV). The Company proposes to submit its Phase II report on or before August 26, 2023.

3. Public Service requests the partial waiver, and any other waivers or variances deemed appropriate by the Commission, for good cause shown pursuant to Rule 1003, and given lessons learned and agreements made in the DSP Phase I process. The extension would allow the Company to continue providing outreach and education sessions with community-based organizations and community leaders related to non-wires alternative (NWA) projects. Public Service provides attachments of presentation material and meeting attendees, and states that it has incorporated recent feedback into its NWA request for proposal (RFP) documentation. In addition, Public Service notes that the partial waiver would enable it to enhance its RFP process with additional feedback from DNV regarding experience in other jurisdictions and with quality assurance for bid evaluation from ICF. Public Service states that it believes this extension will allow for a more transparent solicitation process.

4. Parties to the Proceeding include: Trial Staff of the Commission; Colorado Energy Consumers; the Colorado Energy Office; the Colorado Office of the Utility Consumer Advocate; the Colorado Solar and Storage Association, Solar Energy Industries Association, and Advanced Energy Economy (Clean Energy Industry); the City of Boulder; the City and County of Denver; Holy Cross Energy; Southwest Energy Efficiency Project; Vote Solar; and Western Resource Advocates. Public Service represents that it conferred with all parties, and none opposed the Motion for Partial Waiver.

**C. Findings and Conclusions**

5. We find good cause to grant the Motion for Partial Waiver, which is unopposed, and to extend the timeline for the DSP Phase II report to August 26, 2023, to facilitate additional stakeholder engagement and other enhancements to the solicitation process, in the interests of transparency during this first DSP proceeding.

**II. ORDER**

**A. It Is Ordered That:**

1. The Unopposed Motion for Partial Waiver of Commission Rule 3528(c)(I) and Waiver of Response Time, filed by Public Service Company of Colorado on May 9, 2023, is granted.

2. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
May 17, 2023.**

(S E A L)



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

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Commissioners