

Decision No. R23-0529-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 23A-02040G

IN THE MATTER OF VERIFIED APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR APPROVAL OF A MODIFIED GAS METER SAMPLING AND PERIODIC TESTING PROGRAM, PROCESS FOR EXCHANGE OF METERS IN FAILED LOTS, AND WAIVER OF COMMISSION RULES 4304(D)(I)-(IV) AND (VI) AS NECESSARY.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
AVIV SEGEV
GRANTING JOINT MOTION TO MODIFY SETTLEMENT
DEADLINES AND WAIVING OF RESPONSE TIME**

Mailed Date: August 9, 2023

I. STATEMENT

A. Procedural Background

1. On April 25, 2023, Public Service Company of Colorado (Applicant) filed with the Commission a Verified Application (Application), seeking approval to continue its existing meter sampling and periodic testing program, with modifications and related revisions to its Colo. PUC No. 6-Gas Tariff, as well as the process for continued replacement of meters in failed lots and for a waiver from Commission Rules 4304(d)(I) through (IV) and (VI). This filing commenced Proceeding No. 23A-0204G.

2. On April 26, 2023, the Commission noticed the Application to all interested persons, firms, and corporations, and established a 30-day intervention period for intervenors to file appropriate pleadings to become parties to this Proceeding.

3. On May 11, 2023, the Office of Utility Consumer Advocate (UCA) filed its Notice of Intervention of Right and Entry of Appearance of the Office of Utility Consumer Advocate.

4. On May 26, 2023, Trial Staff of the Public Utilities Commission (Staff) filed its Notice of Intervention of Right by Trial Staff of the Commission, Entry of Appearance, Notice Pursuant to Rule 1007(a) ad Rule 1401, and Request for Hearing.

5. On May 31, 2023, the Commission deemed the Application complete and referred this Proceeding to an Administrative Law Judge (ALJ) by minute entry.

6. By Decision No. R23-0450-I, issued July 10, 2023, the ALJ, among other things, adopted a procedural schedule and scheduled an evidentiary hearing.

7. On August 3, 2023, the parties submitted their Notice of Joint Comprehensive Settlement in Principle, Joint Motion to Modify Procedural Schedule and set Settlement Deadlines, and Request for Waiver of Response Time (Joint Motion). In the Joint Motion, the parties request that the ALJ, waive response time to the Joint Motion, vacate all remaining procedural deadlines in this case, and allow for the filing of the settlement agreement, motion for approval of the settlement agreement, and supporting settlement testimony by August 16, 2023. The Joint Motion is the subject of this Decision.

B. Joint Motion

8. In the Joint Motion, the Parties request that response time to the Joint Motion be waived. The Joint Motion states good cause for the waiver of response time. As this filing is a joint motion, no party will be prejudiced if response time is waived. Therefore, the ALJ will waive response time to Joint Motion, as ordered below.

9. The Parties further request that all remaining procedural deadlines in this case be vacated and that procedures be adopted for the filing of the settlement agreement, motion for approval of the settlement agreement, and supporting settlement testimony by August 16, 2023. The Joint Motion states good cause for the requested relief. Therefore, the motion will be granted, as ordered below.

10. The parties acknowledge that a hearing on the settlement may not be necessary; however, they agree that a hearing could be held during the currently scheduled hearing dates or at an earlier agreeable date and time. The scheduled hearing will remain as scheduled unless otherwise ordered by a separate decision.

II. ORDER

A. It Is Ordered That:

1. Response time to the Notice of Joint Comprehensive Settlement in Principle, Joint Motion to Modify Procedural Schedule and set Settlement Deadlines, and Request for Waiver of Response Time (Joint Motion), filed by the parties on August 3, 2023, is waived.

2. The Joint Motion is granted.

3. All remaining procedural deadlines in this Proceeding are vacated.

4. The parties shall file their settlement agreement, motion for approval of the settlement agreement, and supporting settlement testimony by August 16, 2023.

5. This Decision shall be effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

AVIV SEGEV

Administrative Law Judge

ATTEST: A TRUE COPY

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

Rebecca E. White,
Director