

Decision No. R23-0805-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 23A-0339E

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR APPROVAL OF DEFERRED ACCOUNTING TREATMENT FOR INCREMENTAL, NON-ROUTINE, AND EXTRAORDINARY COSTS INCURRED IN ACCORDANCE WITH COAL COMBUSTION RESIDUAL REGULATIONS.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
G. HARRIS ADAMS
ADDRESSING UNOPPOSED MOTION TO APPROVE
UNANIMOUS COMPREHENSIVE SETTLEMENT
AGREEMENT AND REQUEST FOR WAIVER OF
RESPONSE TIME AND FORTHWITH DECISION**

Mailed Date: December 04, 2023

I. STATEMENT

A. Background

1. On November 9, 2023, the Notice of Unopposed Comprehensive Settlement in Principle, Unopposed Motion to Amend Procedural Schedule, and Request for Waiver of Response Time and Expedited Decision was filed by Public Service Company of Colorado (Public Service or the Company).

2. By Decision No. R23-0761-I, the procedural schedule was modified for the filing of rebuttal and cross-answer testimony, due on November 22, 2023, the filing of the settlement agreement, due on November 22, 2023, and the filing of settlement testimony, due on November 30, 2023. Also by Decision No. R23-0761-I, the first day of the evidentiary hearing, December 4, 2023, was vacated.

3. On November 20, 2023, the Unopposed Motion to Approve Unanimous Comprehensive Settlement Agreement and Request for Waiver of Response Time and Forthwith Decision was filed by Public Service. The settling parties request that response time be waived and that the subject agreement be approved without modification.

4. On November 30, 2023, testimony was filed by Michael R. Grubert on behalf of Public Service, Kerry Kuykendoll on behalf of the Office of the Utility Consumer Advocate, and Dipesh Dipu on behalf of the Staff of the Colorado Public Utilities Commission.

5. All parties to this proceeding have joined the Settlement Agreement and support its approval.

6. Following an initial review of the testimony filed, the undersigned anticipates no need for further hearing. The Settlement Agreement will be reviewed and ruled upon by a separate decision. Should the undersigned have questions after reviewing the Settlement Agreement and Settlement Testimony, the Administrative Law Judge will either issue a decision with questions to be addressed by the Parties or schedule further hearings.

7. Remaining procedural deadlines will be vacated.

8. The evidentiary hearing scheduled in this matter for December 5, 2023, will be vacated.

II. ORDER

A. It Is Ordered That:

1. Response time to the Unopposed Motion to Approve Unanimous Comprehensive Settlement Agreement and Request for Waiver of Response Time and Forthwith Decision filed on November 20, 2023, is waived.

2. The remaining procedural deadlines are vacated.
3. The evidentiary hearing scheduled in this matter for December 5, 2023, is vacated.
4. The remainder of any requested relief will be ruled upon by a separate decision.
5. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

G. HARRIS ADAMS

Administrative Law Judge

ATTEST: A TRUE COPY

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

Rebecca E. White,
Director