

Decision No. C24-0531

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 23A-0392EG

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR APPROVAL OF ITS 2024-2028 CLEAN HEAT PLAN.

**COMMISSION DECISION GRANTING APPLICATIONS
FOR REHEARING, REARGUMENT, OR
RECONSIDERATION OF DECISION NO. C24-0397 FOR
THE SOLE PURPOSE OF TOLLING THE STATUTORY
TIME LIMIT IN § 40-6-114(1), C.R.S.**

Issued Date: July 24, 2024

Adopted Date: July 24, 2024

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of the applications seeking rehearing, reargument, or reconsideration (“RRR Applications”) of Decision No. C24-0397, which the Commission issued on June 10, 2024. The RRR Applications were filed on July 1, 2024, by the following parties to this Proceeding: (1) Public Service Company of Colorado (“Public Service”); (2) the Office of the Utility Consumer Advocate; (3) the Colorado Renewable Energy Society and the Physicians for Social Responsibility-Colorado, jointly; and (4) Natural Resources Defense Council, Sierra Club, the Southwest Energy Efficiency Project, and Western Resource Advocates, jointly.

2. By this Decision, we grant the RRR Applications for the sole purpose of tolling the 30-day statutory time limit in § 40-6-114(1), C.R.S., for the Commission to act upon such applications so that they will not be denied by operation of law.

B. Findings and Conclusions

3. Through Decision No. C24-0397, issued on June 10, 2024, the Commission considered the Application filed by Public Service requesting that the Commission issue an order approving the proposals contained in Public Service's 2024-2028 Clean Heat Plan, which the utility filed on August 1, 2023.

4. Consistent with the statutory time limit in § 40-6-114(1), C.R.S., and the procedures in Rule 1506 of the Rules of Practice and Procedure, 4 *Code of Colorado Regulations* 723-1, any applications for RRR were due within 20 days after Decision No. C24-037 became effective.

5. Pursuant to § 40-6-114(1), C.R.S., we are required to consider and act upon any application for RRR within 30 days of its filing (in this case by July 31, 2024) or the application will be denied by operation of law. We find that, due to the complexity of the issues presented in the RRR Applications, as well as the press of business at the Commission, the Commission requires further time to consider and rule upon the RRR Applications. Therefore, to preclude a denial by operation of law, we grant the RRR Applications for the sole purpose of tolling the statutory time limit.

6. This grant is procedural, and undertaken only to toll the statutory time limit in § 40-6-114(1), C.R.S. We will further deliberate on the issues raised for consideration in the RRR Applications at a future Commissioners' Weekly Meeting and issue a separate decision ruling upon the merits of these applications.

II. ORDER

A. The Commission Orders That:

1. The Application for Rehearing, Reargument, or Reconsideration of Decision No. C24-0397, filed on July 1, 2024, by Public Service Company of Colorado is granted, consistent with the discussion above.

2. The Application for Rehearing, Reargument, or Reconsideration of Decision No. C24-0397, filed on July 1, 2024, by the Office of the Utility Consumer Advocate is granted, consistent with the discussion above.

3. The Application for Rehearing, Reargument, or Reconsideration of Decision No. C24-0397, filed on July 1, 2024, jointly, by the Colorado Renewable Energy Society and the Physicians for Social Responsibility-Colorado, is granted, consistent with the discussion above.

4. The Application for Rehearing, Reargument, or Reconsideration of Decision No. C24-0397, filed on July 1, 2024, jointly, by the Natural Resources Defense Council, Sierra Club, the Southwest Energy Efficiency Project, and Western Resource Advocates, is granted, consistent with the discussion above.

5. This Decision is effective upon its Issued Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
July 24, 2024.**

(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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MEGAN M. GILMAN

TOM PLANT

Commissioners