

Decision No. R24-0131-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 22R-0249E

IN THE MATTER OF THE PROPOSED AMENDMENTS TO THE COMMISSION'S RULES REGULATING ELECTRIC UTILITIES TO IMPLEMENT THE PROVISIONS OF SB21-072 REGARDING TRANSMISSION UTILITY PARTICIPATION IN ORGANIZED WHOLESALE MARKETS, 4 CODE OF COLORADO REGULATIONS 723-3.

**INTERIM DECISION OF HEARING COMMISSIONER
ERIC BLANK
SCHEDULING HEARING AND SETTING
DEADLINES FOR WRITTEN COMMENTS**

Mailed Date: March 1, 2024

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On June 28, 2022, by Decision No. C22-0386, the Colorado Public Utilities Commission (Commission) issued a Notice of Proposed Rulemaking (NOPR) to amend the Rules Regulating Electric Utilities (Electric Rules) contained in 4 *Code of Colorado Regulations* 723-3 to implement sections of Senate Bill (SB) 21-072 and to set forth provisions otherwise governing participation in a regional wholesale market. The NOPR further designated Chairman Eric Blank as the Hearing Commissioner pursuant to § 40-6-101(2)(a), C.R.S.

2. By Decision No. R24-0121-I, issued on February 27, 2024, the Hearing Commissioner put forward revised proposed rules intended to help find a middle ground between the competing approaches thus far presented by the key stakeholders. The Hearing Commissioner also scheduled a brief public comment hearing on March 5, 2024, for the purpose of tolling the 180-day statutory period for the promulgation of rules in this proceeding.

The Hearing Commissioner explained that the March 5, 2024 hearing will be continued to allow for this rulemaking proceeding to carry on with an additional hearing to be scheduled at a later date. The Hearing Commissioner also stated that Rulemaking participants will also have additional opportunity to provide written and oral comments. The Hearing Commissioner further clarified that the date and time for the continued comment hearing and a schedule for the filing of written comments will be established through a separate decision and noticed further to the public.

3. A public comment hearing is scheduled on April 30, 2024 by video conference using Zoom. Those interested in offering oral comment at the public comment hearing must register in advance using the link posted on the Commission's calendar of events for the date and time of the hearing at: <https://puc.colorado.gov/pucalendar>. Registrants will receive an email with the link, meeting ID code, passcode, and call-in information to join the Zoom session.

4. The hearing will begin at 1:00 p.m. on April 30, 2024, and will conclude no later than 5:00 p.m.

5. Consistent with Commission practice, the public comment hearing will be webcast on the Commission's website. Persons wishing to observe, but not participate in the public comment hearing may do so by observing the webcast on the PUC YouTube Channel at puc.colorado.gov/webcasts. The Hearing Commissioner encourages interested persons who do not wish to provide comments during the hearing to observe the hearing through the webcast because this will help minimize background noise during the hearing and may assist in the orderly progression of the hearing.

6. The Hearing Commissioner encourages interested persons to submit written comments before the hearing scheduled in this matter. The Hearing Commissioner requests that an initial round of pre-filed comments, including those directed at the proposed rules set forth in

Decision No. R24-0121-I, be submitted no later than April 5, 2024, and that any pre-filed responsive comments be submitted no later than April 19, 2024. The Commission prefers that comments be filed using its E-Filing System at:

<https://www.dora.state.co.us/pls/efi/EFI.homepage>.

II. ORDER

A. **It Is Ordered That:**

1. A continued public comment hearing in this matter shall be held as follows:

DATE: April 30, 2024

TIME: 1:00 p.m., continuing until concluded, but no later than 5:00 p.m.

PLACE: By video conference using Zoom at a link in the calendar of events on the Commission's website, available at: <https://puc.colorado.gov/>.

2. The public comment hearing scheduled to be held on April 30, 2024, shall be conducted in accordance with the procedures set forth in this Decision.

3. All those who wish to participate in the April 30, 2024 public comment hearing must register by clicking on the link available on the Commission's calendar of events on its website for the date and time(s) of the hearing at puc.colorado.gov/puccalendar.

4. Those wishing to observe but not participate in the above April 30, 2024 public comment hearing may do so by observing the Commission's webcast of the workshop on the PUC YouTube Channel at: puc.colorado.gov/webcasts.

5. Pre-filed comments, including those directed at the proposed rules set forth in Decision No. R24-0121-I, may be submitted no later than April 5, 2024, and that any pre-filed responsive comments be submitted no later than April 19, 2024.

6. The Commission prefers and encourages interested persons to pre-file comments in this Proceeding (22R-0249E) through its E-Filings System at:

<https://www.dora.state.co.us/pls/efi/EFI.homepage>.

7. This Decision is effective upon its Mailed Date.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ERIC BLANK

Hearing Commissioner

ATTEST: A TRUE COPY

A handwritten signature in black ink that reads "Rebecca E. White".

Rebecca E. White,
Director