

Decision No. R24-0163-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 23A-0330E

IN THE MATTER OF APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR APPROVAL OF A NON-STANDARD EDR CONTRACT, AND FOR DETERMINATION NO CPCN IS NEEDED FOR CUSTOMER-FUNDED TRANSMISSION FACILITIES.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
G. HARRIS ADAMS
EXTENDING DECISION
DEADLINE UNDER § 40-6-109.5(4), C.R.S.**

Mailed Date: March 18, 2024

I. STATEMENT

A. Background

1. On June 23, 2023, Public Service Company of Colorado filed an Application for Approval of a Non-Standard Economic Development Rate Contract, and for Determination No Certificate of Public Convenience and Necessity is Needed for Customer-Funded Transmission Facilities.

2. By Decision No. R23-0731-I, issued October 30, 2023, the applicable statutory period in § 40-6-109.5(1), C.R.S., was extended by 130 days, to March 27, 2024.

3. By Decision No. R24-0165-I issued March 4, 2024, a hearing was scheduled for March 14, 2024, to consider whether extraordinary conditions exist to further extend the time limit for a decision pursuant to § 40-6-109.5, C.R.S. At the scheduled time and place, all parties participated and appeared through counsel.

4. During the hearing, the undersigned ALJ explained that the recommended decision has been drafted and is being prepared for issuance. In light of the time remaining in the applicable

statutory period, there is insufficient time for the Commission to deliberate and decide any exceptions that may be filed. Further, circumstances arising during the undersigned's deliberation of the case were also explained. Initially, deliberations took longer than planned for. Other matters also limited time available to complete the decision including personnel matters, unplanned computer configuration changes, commitments to ongoing systems development, and being away from the office.

5. No parties objected to the finding of extraordinary conditions.

6. Pursuant to § 40-6-109.5(4), C.R.S., the Commission may extend the deadline for issuing a decision up to an additional 130 days after notice and a hearing in which the existence of extraordinary conditions is established. In this specific case, a hearing was held, and no party objected to the finding of extraordinary conditions. The undersigned ALJ finds good cause to find that extraordinary conditions exist to extend the statutory deadline by 130 days and the statutory requirements of § 40-6-109.5(4), C.R.S., have been met. The new date for a final Commission decision in this Proceeding is up to and including August 4, 2024.

II. **ORDER**

A. **It is Ordered That:**

1. Extraordinary conditions exist, and the statutory requirements of § 40-6-109.5(4), C.R.S., have been met to extend the applicable statutory period to issue a decision in this Proceeding.

2. Consistent with the discussion above, the applicable statutory period in § 40-6-109.5, C.R.S., is extended for an additional 130 days, to and including August 4, 2024.

3. This Order 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