

Decision No. R24-0200-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 23A-0356E

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR AN ORDER AUTHORIZING IT TO MODIFY AND EXTEND ITS ELECTRIC QUALITY OF SERVICE PLAN THROUGH 2026.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
MELODY MIRBABA
CONVERTING HYBRID HEARING
TO FULLY REMOTE HEARING**

Mailed Date: April 1, 2024

I. STATEMENT AND SUMMARY

1. This Decision converts the hybrid evidentiary hearing scheduled for April 2, 3 and 4, 2024 to a fully remote hearing.

II. PROCEDURAL HISTORY,¹ FINDINGS AND CONCLUSIONS

2. On June 30, 2023, Public Service Company of Colorado (Public Service or the Company) filed the Application.

3. On July 7, 2023, the Commission provided public notice of the Application.

4. The Commission deemed the Application complete by minute entry on August 9, 2023, for purposes of § 40-6-109.5, C.R.S and referred the matter for disposition to an Administrative Law Judge (ALJ).

¹ Only the procedural history necessary to understand this Decision is included.

5. The ALJ held a duly noticed prehearing conference on September 8, 2023, during which the ALJ scheduled a hybrid evidentiary hearing for April 2, 3 and 4, 2024 and established deadlines and procedures relating to that hearing (among other matters).²

6. When scheduling the hybrid evidentiary hearing, the ALJ informed the parties that if no one plans to appear in person, the hearing would be converted to a fully remote hearing.³ As such, the procedural schedule required the parties to confer on this, and required Public Service to make a filing on or by March 25, 2024 if no party plans to appear in person for the hybrid evidentiary hearing.⁴ This filing was not required if at least one party planned to appear for the hearing in person.⁵

7. Public Service did not make a filing on March 25, 2024 indicating that no party would appear in person, but on March 28, 2024, counsel for Public Service left a voice mail message for the ALJ on this issue.⁶ Specifically, counsel stated that as of March 25, 2024, at least two parties planned to appear in person, but that circumstances changed since then, and that all parties now plan to appear remotely for the evidentiary hearing.⁷ Given that the first day of hearing is closely approaching, the ALJ informally contacted the parties via email to let them know that based on counsel's message and Decision No. R23-0617-I, the hybrid hearing would be converted to a fully remote hearing and a written decision would issue as soon as possible.⁸

8. Given that no party plans to appear in person, there is no reason to hold the hearing as a hybrid hearing. The ALJ finds that converting the hearing to a fully remote hearing does not impact hearing procedures or otherwise prejudice any party, because the hearing procedures

² Decision Nos. R23-0582-I at 4 (mailed August 31, 2023); R23-0617-I at 7-13 (mailed September 13, 2024).

³ Decision No. R23-0617-I at 7.

⁴ *Id.* at 12.

⁵ *Id.*

⁶ *See* Email with Parties filed March 28, 2024.

⁷ *Id.*

⁸ *Id.* at 12.

already accommodates remote participation. For the reasons discussed, the hybrid evidentiary hearing scheduled for April 2, 3, and 4, 2024 is converted to a fully remote evidentiary hearing.

III. ORDER

A. It Is Ordered That:

1. Consistent with the above discussion and findings, the hybrid evidentiary hearing on the above-captioned Application scheduled for April 2, 3, and 4, 2024 is converted to a fully remote evidentiary hearing. Parties and witnesses may not appear in person and will instead appear by videoconference using the Zoom platform at a link provided to the parties.

2. The parties are responsible for sharing the link, meeting ID code, and passcode with witnesses and others participating in the hearing. Participants in the hearing may not distribute the link, meeting ID code, and passcode to anyone not participating in the hearing.

3. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

MELODY MIRBABA

Administrative Law Judge

ATTEST: A TRUE COPY

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

Rebecca E. White,
Director