

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 24A-0442E

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR APPROVAL OF ITS 2024 JUST TRANSITION SOLICITATION.

**INTERIM COMMISSION DECISION GRANTING STAFF'S
UNOPPOSED MOTION FOR EXTENSION OF TIME TO
FILE FINAL SCOPE OF WORK AND REQUEST FOR
WAIVER OF RESPONSE TIME**

Issued Date: March 10, 2025

Adopted Date: March 5, 2025

I. BY THE COMMISSION

A. Statement

1. Through this Decision, we grant the Unopposed Motion for Extension of Time to File Final Scope of Work and Request for Waiver of Response Time (“Unopposed Motion”) that Trial Staff of the Public Utilities Commission (“Staff”) filed on February 28, 2025. Staff shall file the final scope of work (“SOW”) for the independent transmission analyst (“ITA”) seven business days after the retention of the ITA. If Staff has not retained an ITA by March 14, 2025, Staff shall file a notice with the Commission providing a complete explanation regarding the ITA retention process.

B. Discussion

2. As set forth in prior decisions,¹ in the 2021 Electric Resource Plan (“ERP”) and Clean Energy Plan (“CEP”), the Commission adopted Staff’s recommendation to implement an

¹ See, e.g., Decision No. C25-0064-I, issued January 29, 2025.

ITA. The Commission saw value in independent transmission and power flow modeling expertise and stated that the ITA would ideally assist with Phase I modeling in the Just Transition Solicitation (“JTS”). We made clear that the ITA “must maintain independence from the Company.”²

3. In Decision No. C24-0872-I in this 2024 JTS Proceeding, we initially directed Staff to file by December 4, 2024, an update and description of the ITA stakeholder process and Staff’s plans for proposing a SOW for the ITA in initial filings in this Proceeding.³ After receiving Staff’s Response to Decision No. C24-0872-I, the Commission set a deadline of December 31, 2024, for Staff to address the ITA and a proposed SOW.⁴

4. On December 31, 2024, Public Service Company of Colorado (“Public Service” or “Company”) Staff, the Colorado Office of Utility Consumer Advocate (“UCA”), and the Colorado Energy Office (“CEO”) (Staff, UCA, and CEO, collectively the “State Agencies”) jointly filed a Notice of Joint Filing SOW for ITA. In this Notice, the parties stated the ITA will begin work as soon as practicable and that Staff and the Company are working to interview prospective ITA contractors in January 2025.

5. In Decision No. C25-0064-I, we noted that we were encouraged by the ITA SOW, including the “considerable independence” the ITA would have from the Company.⁵ Nevertheless, we directed certain modifications and clarifications to the ITA SOW. For example, we required Public Service to include additional information regarding Xcel Energy’s contractor screening and review process to ensure this process “in no way impedes the independence of any ITA

² Proceeding 21A-0141E, Decision No. C24-0052, issued January 23, 2024, ¶¶ 164-66.

³ Decision No. C24-0872-I, issued November 22, 2024, ¶¶ 67-68.

⁴ Decision No. C24-0941-I, issued December 23, 2024, pp. 18-19.

⁵ Decision No. C25-0064-I, ¶ 17.

subcontractor.”⁶ The Commission directed Staff to file the finalized SOW after the retention of the ITA, but not later than February 28, 2025.⁷

6. In the Unopposed Motion, Staff states that it has collaborated with Public Service on a list of potential third-party contractors for the ITA work. Staff and the Company have met with and received proposals from several of the potential contractors, but a finalized agreement has not yet been reached.

7. Because it has not yet retained an ITA, Staff requests the Commission extend the time to file the final SOW until seven business days after retention of an ITA. At that time, Staff will file a “Notice of Hiring an Independent Transmission Analyst” with the required final SOW. If Staff has not retained an ITA by March 14, 2025, Staff states it will file a notice with the Commission providing an update on the status of the retention of an ITA.

8. Finally, Staff notes that its requested relief is unopposed and thus asks the Commission to waive response time to the Unopposed Motion pursuant to Rule 1308(c) of the Commission’s Rules of Practice and Procedure.

9. We are disappointed an ITA has not yet been retained. The 2021 ERP/CEP decision adopting Staff’s recommendation to implement an ITA was issued more than a year ago. While we remain hopeful that an ITA will help build the analytical capabilities of the State Agencies in this Proceeding and will specifically assist Staff in evaluating the Company’s transmission planning process, modeling, and proposed transmission solutions, time is growing short. We note the deadline for intervenors to file answer testimony is April 18, 2025. It is our

⁶ Decision No. C25-0064-I, ¶ 21.

⁷ Decision No. C25-0064-I, ¶ 24.

expectation that Staff shares our urgency in retaining an ITA in time to assist in Phase I of this Proceeding.

10. Nevertheless, the failure thus far to retain an ITA constitutes good cause for extension of the ITA SOW deadline. Accordingly, we grant Staff's Unopposed Motion. Staff shall file the final SOW for the ITA seven business days after the retention of the ITA. It is our hope and expectation that the final SOW is filed prior to March 14, 2025. If Staff has not retained an ITA by March 14, 2025, however, Staff shall file a notice with the Commission by March 14, 2025, fully explaining the status of the ITA retention process.

11. Given that Staff's requested relief is unopposed, we waive the remaining response time.

12. Finally, we take this opportunity to reemphasize that the ITA must be independent from the Company. We urge Staff to keep this factor in mind as it selects an ITA and finalizes the SOW.

II. ORDER

A. It Is Ordered That:

1. The Unopposed Motion for Extension of Time to File Final Scope of Work and Request for Waiver of Response Time ("Unopposed Motion") that Trial Staff of the Public Utilities Commission ("Staff") filed on February 28, 2025, is granted, and the remaining response time to the Unopposed Motion is waived.

2. Consistent with the discussion above, Staff shall file the final scope of work for the independent transmission analyst ("ITA") seven business days after the retention of the ITA. If Staff has not retained an ITA by March 14, 2025, Staff shall file a notice with the Commission by March 14, 2025, fully explaining the status of the ITA retention process.

3. This Decision is effective immediately upon its Issued Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
March 5, 2025.**

(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

MEGAN M. GILMAN

TOM PLANT

Commissioners

COMMISSIONER ERIC BLANK
ABSENT