

Decision No. C25-0260-I

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO**

PROCEEDING NO. 24A-0547E

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IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR APPROVAL OF ITS 2025-2029 DISTRIBUTION SYSTEM PLAN AND THE GRID MODERNIZATION ADJUSTMENT CLAUSE.

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PROCEEDING NO. 25A-0061E

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IN THE MATTER OF THE APPLICATION FOR APPROVAL OF PUBLIC SERVICE COMPANY OF COLORADO'S AGGREGATOR VIRTUAL POWER PLANT PROGRAM AND TARIFF, ALONG WITH ASSOCIATED PROGRAM BUDGET AND COST RECOVERY METHODOLOGY.

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**INTERIM COMMISSION DECISION ADDRESSING  
MOTION FOR VARIANCE; ESTABLISHING  
PROCEDURAL SCHEDULE; SCHEDULING  
EVIDENTIARY HEARING; ADOPTING PROCEDURES  
FOR EXHIBITS; ADDRESSING DISCOVERY  
PROVISIONS; AND CONSOLIDATING PROCEEDINGS**

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Issued Date: April 8, 2025  
Adopted Date: March 26, 2025

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**I. BY THE COMMISSION**

**A. Statement**

1. By this Decision, the Commission addresses several procedural matters for this Proceeding. The Commission sets a hearing schedule and discovery parameters for the Application of Public Service Company of Colorado (“Public Service” or the “Company”) for Approval of its 2025-2029 Distribution System Plan (“DSP”) and Grid Modernization Adjustment Clause (“GMAC”) (“Application”), filed on December 16, 2024. We also schedule a nine-day remote evidentiary hearing *en banc* for the days of August 25-29, 2025, and September 2-5, 2025. We also extend the timeline for a decision under § 40-6-109.5(1), C.R.S. In Attachment A to this Decision, the Commission provides instruction for how the remote evidentiary hearing will be conducted. Relatedly, in Attachment B to this Decision, the Commission sets forth procedures for the electronic submission of exhibits.

2. By this decision, we also address the Motion for Partial Variance from Commission Decision No. C25-0154-I and Request for Waiver of Response Time (“Variance Motion”) filed by Public Service on March 12, 2025.

3. We also consolidate this Proceeding with Proceeding No. 25A-0061E pursuant to Rule 1402 of the Commission's Rules of Practice and Procedure, 4 *Code of Colorado Regulations* (“CCR”) 723-1.

**B. Background**

4. Public Service filed its Application pursuant to § 40-2-132, C.R.S., and Rules 3529 to 3541 of the Commission's Rules Regulating Electric Utilities, 4 CCR 723-3, for approval of the Company's 2025-2029 DSP as well as its proposed GMAC rider.

5. The Commission issued a Notice of Application filed on December 18, 2024. The Notice set a 30-day intervention period that ran through January 17, 2025.

6. By Decision No. C25-0057, the Commission found that more information was necessary before deeming the Application complete and required Public Service to file responsive information by February 14, 2025. Public Service timely filed the requested information on February 14, 2025, as Hearing Exhibit 109 and associated attachments.

7. On January 31, 2025, pursuant to Senate Bill ("SB") 24-218, Public Service filed an Application for Approval of an Aggregator Virtual Power Plant in Proceeding No. 25A-0061E (Proceeding No. 25A-0061E or "AVPP Proceeding").

8. By Decision No. C25-0085-I, issued in Proceeding No. 25A-0061E, the Commission noted the Company's AVPP Application may have overlapping factors and interrelated impacts with its DSP proceeding and requested comment from potential parties to the AVPP Proceeding regarding the potential advantages and disadvantages to combining the AVPP and DSP proceedings, or other logistical suggestions they may have.

9. By Decision No. C25-0154-I, the Commission deemed the Application completed and granted the requests for permissive intervention filed by Colorado Energy Consumers Group ("CEC"); the City and County of Denver ("Denver"); the Interstate Renewable Energy Council ("IREC"); Pivot Energy Inc. ("Pivot"); the Eastern Metro Area Business Coalition (the "Eastern Metro Area Business Coalition"); the City of Boulder ("Boulder"); Holy Cross Electric

Association Inc. (“Holy Cross”); Western Resource Advocates (“WRA”); Tesla, Inc. (“Tesla”); the Southwest Energy Efficiency Project and Natural Resource Defense Counsel, jointly (“SWEEP/NRDC”); Mission:data Coalition, Inc. (“Mission:data”); and filing jointly, the Colorado Solar and Storage Association (“COSSA”), the Solar Energy Industries Association (“SEIA”); the Coalition for Community Solar Access (“CCSA”), and the Advanced Energy United (“AEU”) (jointly the “Associations for Clean Energy,” or “ACE”). The Commission acknowledged the notices of intervention of right filed by Trial Staff of the Commission (“Staff”), the Office of the Utility Consumer Advocate (“UCA”), and the Colorado Energy Office (“CEO”).

10. Decision No. C25-0154-I also directed Public Service to file a proposed consolidated procedural schedule no later than March 14, 2025, that also addresses the Company’s AVPP Application filed by Public Service on January 31, 2025.

11. By Decision No. C25-0154-I, the Commission ordered Public Service to file supplemental direct no later than March 21, 2025, regarding numerous topics.

12. On March 14, 2025, the Commission received the Conferral Report from Public Service in this Proceeding as well as in AVPP Proceeding.

13. Also on March 12, 2025, the Commission received the Variance Motion from the Company. In its motion, the Company requests a variance from the supplemental direct requirements in Paragraphs 65(c)(ii)-(iv) and 65(d)(ii)-(v) of Decision No. C25-0154-I, both of which request that the Company update its distribution planning models based on varying assumptions pertaining to load management and the Company’s planning threshold for feeder capacity. The Company also requests response time to the motion be waived since the supplemental direct deadline is March 21, 2025. The Company indicates that Staff, CEC, and UCA each oppose and reserve the right to respond.

14. By Decision No. C25-0203-I, the Commission vacated the pre-hearing conference and provided additional guidance regarding the Variance Motion.

15. On March 24, 2025, Public Service filed information responsive to Decision No. C25-0203-I (“Public Service Comments and Updated Conferral Report”).

**C. Discussion, Findings, and Conclusions**

**1. Motion for Variance**

16. Also on March 12, 2025, the Commission received the Variance Motion from the Company. In its motion, the Company requests a variance from the supplemental direct requirements in Paragraphs 65(c)(ii)-(iv) and 65(d)(ii)-(v) of Decision No. C25-0154-I, both of which request that the Company update its distribution planning models based on varying assumptions pertaining to load management and the Company’s planning threshold for feeder capacity. The Company also requested response time to the motion be waived since the supplemental direct deadline was March 21, 2025. The Company indicates that Staff, CEC, and UCA each oppose and reserve the right to respond.

17. The Company claims it cannot provide the supplemental modeling based on the features and limitations of LoadSEER application, including because:

- a. The Company only runs a single version of LoadSEER for which it uses to both manage its system on a daily basis and conduct the DSP planning exercise;
- b. The LoadSEER model is “continuously” adjusting and updating the assumptions on a real-time basis to “to ensure that the model remains as accurate and up-to-date as possible” and therefore earlier iterations are no longer available;
- c. The planning process is highly manual; and

- d. In order to satisfy the Commissions Supplemental Modeling directives, the Company estimates that it would take a minimum of five incremental months to complete the required forecasting updates, rerun the risk analysis, reevaluate all of the distribution capacity projects within the five-year distribution plan and develop new projects based on such modeling, making it infeasible under any scenario to complete the exercise within the timelines of this case.

18. The Company presented an alternative proposal in which it would manually reanalyze the need for seven proposed distribution capacity projects over the 10-year forecasting window and for 2030, 2035, 2040, and 2045 using revised residential load shapes consistent with the request contained in Paragraphs 65(c)(ii)-(iv) and 65(d)(ii)-(v) of Decision No. C25-0154-I. Public Service asserts it can complete the alternative proposal in a more timely manner than the original supplemental direct order.

19. Through Decision No. C25-0203-I, the Commission requested that Public Service respond to a modification of the Company's original supplemental direct order. Specifically, the Commission retracted our directives in Paragraph 65(d)(ii)-(v) of Decision No. C25-0154-I, in effect, eliminating four capital expansion plan exercises. However, the Commission retained the questions presented in Paragraph 65(c)(iii-iv), but clarified through Decision No. C25-0203-I, that the Company is to "develop a revised capital expansion plan based on the same general demand assumptions required in the 'Lower Low' JTS Scenario and a flattened load shape as laid out in our prior SDT order."<sup>1</sup> Through that decision, the Commission also asked the Company to indicate if the analysis period could be shortened, and to confer once again with the DSP and AVPP parties on what changes would be needed to the schedule presented in the Conferral Report.

20. On March 24, 2025, the Company timely provided its response to Decision No. C25-0203-I and an updated conferral report. Public Service explained in its response that it could provide the remaining analysis required by Paragraph 65(c)(iii-iv) ("Supplemental Analysis") by

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<sup>1</sup> Decision No, C25-0203-I, ¶12.

May 19, 2025. Public Service explained that the proposed submission date “allows sufficient time for parties to review and propound discovery on this additional information before their Answer Testimony would be due on June 26 if the proposed schedule in the Conferral Report is adopted, and allows for this Proceeding to be completed by the statutory deadline.”<sup>2</sup> However, the Company explains several caveats with the Supplemental Analysis. First, the Supplemental Analysis would rely on the current version of LoadSEER which reflects changes made since the forecasting was completed to support the Company’s Direct Case in the DSP Proceeding. Public Service notes that relying on the current LoadSEER model avoids the time-consuming task of creating a variation of the prior forecast. Second, the Company notes that the “Lower Low” forecast to be presented in the Supplemental Analysis “assumes no additional residential BE load will be added to the distribution system. As a result [...], the new load curves developed for residential space heating and water heating are expected to have a *de minimis* impact because the Company would not be forecasting any additional BE-related residential loads beyond the minor impacts of the new load shapes for approved capacity checks which include BE.”<sup>3</sup> The Company contends that planning the distribution system based on an assumption of no additional BE load is inconsistent with the directives in § 40-2-132.5(5) C.R.S., which is designed to facilitate sufficient distribution system capacity for various plans and goals, including the Company’s Clean Heat Plan. Finally, the Company explains that, in order to meet the proposed Supplemental Analysis submission date of May 19, 2025, it is not able to recreate its entire forecasting, planning, and budgeting processes as conducted for the Company’s Direct Case. The Company explains that the revised forecasting effort would produce new, annual 8760 curves for every feeder and bank for a

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<sup>2</sup> Public Service’s Comments and Updated Conferral Report in Response to Decision No. C25-0203-I, p. 2.

<sup>3</sup> Public Service’s Comments and Updated Conferral Report in Response to Decision No. C25-0203-I, p. 7.

30-year forecast period, although only the first 10-years will be utilized for this Supplemental Analysis. The Company would next re-conduct its risk analysis manually with the support of “Power BI” software to produce revised N-0 and N-1 evaluations and projections on the timing, duration, frequency, and extent of predicted overloading conditions. The Company would then “determine if the revised forecasted load curves changed the magnitude or timing of risks when compared to the analysis ... presented in direct testimony.”<sup>4</sup> Public Service explains in its response to Decision No. C25-0203-I that the proposed approach is supported by many, but not all, of the parties to the DSP and AVPP proceedings.

21. The Commission appreciates the Company’s flexibility and willingness to re-confer with parties on the timing and approach of the Supplemental Analysis. We also appreciate the Company’s explanation of caveats to the Supplemental Analysis and the initial feedback that the combination of attributes in the Commission’s questions presented would effectively result in no additional BE-related residential loads. We agree with the Company that such an assumption is unlikely to assist the Commission in adjudicating the Company’s DSP, in which the Commission must consider implementation of the goals enumerated in § 40-2-132.5(5)(b), C.R.S. We also believe, after further consideration, that the limitation on energy growth rates presented in the Lower Low forecast may not inform the evidentiary record as effectively as possible.

22. Accordingly, we find it necessary to modify the question in Paragraph 65(c)(iii-iv), as clarified by Decision No. C25-0203-I, by removing the reference to the Lower Low load forecast. Instead, the Company should assume growth in energy usage consistent with existing

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<sup>4</sup> Public Service’s Comments and Updated Conferral Report in Response to Decision No. C25-0203-I, pp. 10-11.

capacity checks or otherwise known load growth as well as the technology adoption curves embedded via recently approved Commission orders regarding the Company's Clean Heat, DSM, Beneficial Electrification, and Transportation Electrification activities.<sup>5</sup> To the extent necessary, the Company should apply reasonable extrapolation techniques to the projected adoption rates embedded in each relevant proceeding and explain all extrapolation assumptions and calculations as part of its Supplemental Analysis. Otherwise, the Commission finds that the Company's approach to completing the Supplemental Analysis appears reasonable and appropriate given the time constraints and other necessary evaluation caveats, described above. Accordingly, we find good cause to grant, in part, and deny, in part, the Company's Motion for Partial Variance and revise our remaining contested Supplemental Direct Question consistent with the discussion above. We reject the Company's Alternative Proposal as presented in the Motion for Partial Variance, and we adopt the Company's Supplemental Analysis approach presented in its response to Decision No. C25-0203-I, with the modifications discussed above.

## **2. Consolidation**

### **a. Party Positions**

23. In Decision No. C25-0085-I, the Commission solicited feedback from Public Service and potential intervenors in the AVPP Proceeding regarding their perspective on the potential consolidation of that proceeding and the Company's DSP Application.

24. In Proceeding No. 25A-0061E, the Commission received a range of responses regarding potential consolidation of the AVPP and DSP proceedings. Public Service stated it does not oppose consolidation provided that doing so does not delay or otherwise extend the time for

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<sup>5</sup> See e.g., Proceeding No. 23A-0392EG (Clean Heat Proceeding); 22A-0309EG, as implemented in 24A-0589EG (DSM and BE efforts); and 23A-0242E (Transportation Electrification Proceeding).

resolution of the plan application. Staff took no position on consolidation, and several AVPP parties, including CEO, WRA, Boulder and CEC which are also DSP parties, support consolidation. CEO stated that consolidating the proceedings will make it easier for parties and the Commission to compare the costs and benefits of aggregated VPPs to distribution system investments and that, because both proceedings depend on similar inputs and information, combining the proceedings will increase efficiency and reduce duplication in discovery questions, testimony, and hearing topics. WRA noted that if the Commission consolidates the proceedings, it should take procedural steps to ensure that parties with a discrete interest in the AVPP Application are not prejudiced by the breadth of all issues present in the DSP Application.

25. UCA, COSSA/SEIA/CCSA, and AEU, each being parties to the DSP Proceeding, oppose consolidation of the AVPP and DSP applications. UCA stated it has concerns that the AVPP, which is a smaller proceeding that contains discrete issues related to developing the aggregation of distributed resources which are not present in the DSP, will be overshadowed in the larger DSP Application. COSSA/SEIA/CCSA (part of the Associations for Clean Energy intervenor in this Proceeding) stated it does not believe combining the proceedings will be efficient because the AVPP Proceeding is a case of first impression that requires the resolution of highly technical questions about program structure, eligibility, payments and terms and conditions. COSSA/SEIA/CCSA explained that, similarly to UCA, it is concerned that important programmatic details will get lost in the administrative record of the larger DSP. AEU (part of the Associations for Clean Energy intervenor in this Proceeding) emphasized the need for VPP implementation to move quickly and argues that the technical nature of the AVPP, combined with the numerous issues and decision points in the DSP, may slow down settlement or resolution of the AVPP. If the Commission does consolidate the AVPP and the DSP, AEU asserts the

Commission should put in place procedural safeguards to ensure that consideration of the AVPP is not unduly complicated or delayed. To that end, AEU suggests the Commission consider the VPP on a separate “track” from the rest of the DSP issues to allow for separate settlement discussions. It also requests the Commission provide sufficient hearing days and number of pages in Statements of Position for parties to fully address issues arising from the AVPP Application, in addition to the DSP.

26. In Decision No. C25-0154-I, the Commission solicited feedback from the parties to *this* Proceeding regarding potential consolidation with the Company’s AVPP Application. By Decision No. C25-0155-I, the Commission also gave parties to the AVPP Application an additional opportunity to provide comments on consolidation. The Commission received responsive filings from UCA, ACE, Solar United Neighbors (“SUN”), SWEEP/NRDC, and CEO.

27. UCA acknowledged the issues present in the DSP and AVPP proceedings clearly overlap, but reiterated its opposition to consolidation and expressed concern that consolidating the proceedings could result in overly expanding the Proceeding’s hearing length. UCA also emphasized the nascent nature of AVPP issues and asserted these issues would be better addressed in a separate proceeding. ACE similarly opposes consolidation. ACE also acknowledges the overlap between the proceedings but asserts the technical considerations embedded in the AVPP Application warrant consideration in a separate proceeding to satisfy ACE’s due process concerns regarding sufficient time and attention to address the important issues in the proceeding. ACE asserts consolidating the AVPP and DSP will not advance the Commission’s efficiency goals because the issues inherent to the AVPP are not likely to be inter-dependent on the issues in the DSP and there is no dynamic interaction between DSP issues and the AVPP program.

However, ACE states that if the Commission does consolidate the proceedings, it must adopt a procedural schedule that provides sufficient due process for all issues being decided.

28. SUN, a party to the AVPP, but not the DSP, also opposes consolidation and requests the AVPP proceeding proceed separately from the DSP proceeding. Like UCA and ACE, SUN emphasizes the AVPP Application includes numerous technical issues of first impression including design and establishment of a new AVPP program. SUN states it shares ACE's concerns regarding consolidation and maintains that consolidation of the proceedings creates substantial risk that AVPP program design issues and related matters will not receive sufficient attention. In the event the Commission consolidates the proceedings, SUN states it supports ACE's comments regarding procedural safeguards.

29. SWEEP/NRDC, a party to the DSP but not the AVPP proceeding, support consolidation of the two proceedings. SWEEP/NRDC assert consolidation would allow the Commission to take a more holistic view of the relevant issues which would result in a better-informed decision than considering each proceeding in isolation. SWEEP/NRDC further assert consolidation could allow the Commission to determine how an approved AVPP program may affect and potentially reduce the need for some of Public Service's proposed DSP investments thereby decreasing costs of the DSP plan and potentially saving customers' money. Finally, SWEEP/NRDC emphasizes consolidating the proceedings will provide an opportunity to save resources for both the Commission and the parties, given the significant overlap and timing of these proceedings.

30. CEO, a party to both the AVPP and DSP proceedings, reiterated its recommendation that the Commission consolidate the proceedings. CEO contends combining the two proceedings will make it easier for parties and the Commission to compare the costs and

benefits of VPPs to distribution system investments. CEO also notes because both proceedings depend on similar inputs and information, combining the proceedings will increase efficiency and reduce duplication in discovery questions, testimony, and hearing topics.

31. In Decision No. C25-0154-I, the Commission prompted parties on the appropriate proceeding in which to hear the Company's DDG proposals related to SB 24-207. In particular, the Commission asked parties whether a single solicitation (conducted as part of the JTS or DSP) can reasonably facilitate the Company's obligations under SB 24-207.

32. The Company explains that it does not believe consolidation of DDG with the AVPP proceeding would be appropriate as the two programs are on relatively different size scales. Per the DDG-related statute, the Company is required to procure at least 50 MW per year in summer of 2026 and 2027. Per the AVPP program, individual DERs must be 500 kw or less, and aggregated by qualified resource aggregators.

33. Pivot suggests the DSP is the best venue for effectuation of the DDG and AVPP programs as the animating purposes of the DSP is "diversification of energy supply through distributed energy" and "expanding the utilization of non-wire alternatives that may reduce the need for conventional distribution grid investment."

34. Despite opposing consolidation of the DSP and AVPP proceedings, ACE supports DSP and DDG consolidation. ACE suggests the DSP proceeding represents the "optimal opportunity" for the Commission to implement the DDG requirements of SB 24-207 and realize the full potential of DDG resources.

#### **b. Findings and Conclusions**

35. We find good cause to consolidate Proceeding Nos. 24A-0547E and 25A-0061E pursuant to Rule 1402 4 CCR 723-1. Rule 1402 governs and establishes the standard for granting

consolidation. In relevant part, that Rule states: “The Commission may ... consolidate proceedings where the issues are substantially similar and the rights of the parties will not be prejudiced.” Whether to consolidate proceedings lies in the Commission's sound discretion. We find that the issues in the proceedings are substantially similar. Consolidation will give the Commission the ability to address the issues in both proceedings holistically and will afford the Commission the opportunity to effectively analyze the interrelationship between the Company’s DSP capital expenditures and its AVPP program. Consolidation could thereby give the Commission the opportunity to mitigate certain costs presented in the Company’s DSP. We also find consolidation will not prejudice parties in the two proceedings. Further, we find that consolidation will result in significant litigation and administrative efficiencies and will conserve the resources of the Commission and parties to the proceedings. Finally, consolidation also eliminates confusion about the proceeding in which a particular issue will be addressed.

36. Proceeding Nos. 24A-0547E and 25A-0061E are consolidated by this Decision. Proceeding No. 24A-0547E (this Proceeding) will serve as the primary proceeding and all filings should be made in that Proceeding. Each filing should include both captions with Proceeding No. 24A-0547E, appearing first and then the caption for Proceeding No. 25A-0061E as it appears in this Decision.<sup>6</sup>

37. With respect to DDG, the Commission recognizes that DDG resources have not been formally procured before and that such resources have somewhat overlapping attributes with other categories of resources. We also note that the Company is expected to bring forward its DDG proposal, via a separate application, in the near future. Finally, only three parties responded to the

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<sup>6</sup> For clarity, we have included in both orders all procedural issues decided at the 3/26 CWM. Decision Nos. C25-0260-I and C25-0261-I provide duplicate procedural guidance for the consolidated proceeding moving forward. The Commission anticipates future orders will be issued in the consolidated proceeding only.

Commission's prompt; the large majority of parties to the DSP and AVPP proceedings have not been heard from on this issue and may offer a unique perspective. At this juncture, the Commission finds it appropriate to further assess the potential opportunity for further consolidation in the near future, but we decline to take any specific action until more information comes to light. We remain open to further party comment on this issue and plan to assess the DDG proposal when Public Service files it.

### 3. Procedural Schedule and Discovery Parameters

38. On March 14, 2025, the Company filed a Conferral Report that was a result of conferral with both the DSP and AVPP parties. The Company indicated that all of the parties expressed support or agreement with the proposal except for: IREC (DSP), ACE (DSP and AVPP), AEU (DSP and AVPP),<sup>7</sup> Pivot (AVPP and DSP), and SUN (AVPP). In the Conferral Report, the Company stated that it “believes both the DSP and AVPP cases can proceed efficiently under a single procedural schedule in the event the Commission decides to consolidate the two proceedings, and to the extent necessary, the parties can work together to achieve efficiencies for AVPP parties when determining witness order at the hearing.”

39. ACE and AEU developed a counterproposal reflecting a merged case with the same deadlines but separate evidentiary hearings, with the AVPP evidentiary hearing taking place from August 25- 27, 2025 and the DSP hearing taking place August 28-29 and September 2-5, 2025. ACE and AEU further proposed that the Commission require that AVPP issues be addressed through distinct witness testimony to prevent AVPP-related issues from getting lost in the breadth of the DSP. SUN and Pivot Energy expressed agreement with the position of ACE and AEU. However, the Company indicate that it is opposed to separate evidentiary hearings because

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<sup>7</sup> In the DSP proceeding, AEU is part of ACE.

separate evidentiary hearings and separate sets of witness testimonies do not promote regulatory efficiency, and would likely result in increased case expenses, potential duplication of efforts, confusion, and other inefficiencies for the Commission, the Company, and the parties to both cases.

40. We find that the Conferral Report submitted by Public Service and supported by most parties sets forth a reasonable schedule for this Proceeding.

41. The Commission adopts the following procedural schedule:

Deadline/Action	Date
Supplemental Direct Testimony ( <i>discussed herein</i> )	May 19, 2025
Answer Testimony	June 26, 2025
Rebuttal & Cross-Answer Testimony	July 30, 2025
Stipulations and Settlement Agreements	August 11, 2025
Settlement Testimony	August 11, 2025
Cross Examination Matrix	August 19, 2025
Pre-Hearing Motions	August 20, 2025
Corrections/Cross-Matrix/Witness List	August 18, 2025
Remote <i>En Banc</i> Evidentiary Hearing	August 25-29, and September 2-5, 2025
Statements of Position	September 26, 2025
250-day deadline	November 3, 2025

42. In order to accommodate the above procedural schedule, we find the additional time permitted in § 40-6-109.5(1), C.R.S., is required in this Proceeding. We therefore extend the decision deadline in the Proceeding by the permitted 130 days allowed by statute.

43. In its Conferral Report, the Company submits that the ordinary rules governing discovery should apply to this Proceeding, and that all parties either agree or take no position on the Company’s proposal regarding discovery. In the Public Service Comments and Updated Conferral Report filed on March 24, 2025, the Company indicated that to further accommodate the timing of the supplemental filings on May 19, 2025, the Company has agreed to a 7-business-

day discovery timeline that would only apply to discovery directed solely at the Supplemental Analysis filed on May 19.

44. We confirm the discovery processes proposed by the Company, consistent with Commission rules.

45. At a future date closer to the evidentiary hearing, the Commission will consider and provide additional guidance on hearing processes to ensure that the AVPP issues receive appropriate focus.

#### **4. Hearing Procedures and Instructions Concerning Exhibits**

46. The Commission schedules a nine-day fully remote *en banc* evidentiary hearing for the days of August 25-29, 2025, and September 2-5, 2025.

47. The evidentiary hearing will be conducted via video-conference using the Zoom platform. Attachment A to this Decision provides information about the Zoom platform and how to use Zoom to participate in the remote hearing. To minimize the potential that the hybrid hearing may be disrupted by non-participants, the link and meeting ID, or access code, to attend the hearing will be provided to the parties by email before the hearing, and the parties and witnesses will be prohibited from distributing that information to anyone not participating in the hearing.

48. Exhibits must be presented electronically at the evidentiary hearing. Attachment B to this Decision outlines the procedures and requirements for marking and formatting exhibits aimed at facilitating efficient and smooth electronic evidence presentations at the remote hearing. It is extremely important that the parties carefully review and follow all requirements in Attachment B.

49. Hearing exhibits shall be marked numerically and sequentially for identification by the filing parties within their respective blocks of numbers. In order to efficiently organize the

numbering and preparation of exhibits for the hearing, all parties shall use a unified numbering system for all hearing exhibits. Parties should not duplicate hearing exhibits or attachments previously filed by another party.

50. The party initiating the proceeding is assigned hearing exhibit numbers 100 to 299.

51. Each intervening person or entity is assigned a block of 100 hearing exhibit numbers (e.g., 300-399, 400-499, etc.) assigned as outlined in the chart below. Due to the breadth and scope of the Proceeding, we assign from the outset two hearing exhibit blocks to the Company. We note that those intervenors filing as a coalition (*i.e.*, ACE) in the DSP proceeding and in the AVPP proceeding are provided one exhibit number block for the coalition and the individual members are provided a separate block for the express purpose of providing AVPP answer testimony. Parties are encouraged to confer as needed.

52. Hearing Exhibit Number Block Assignments

Party	Hearing Exhibit Number Block
Public Service	100-299
CEC	300-399
CEO	400-499
Staff	500-599
UCA	600-699
Denver	700-799
IREC	800-899
ACE (COSSA/SEIA, CCSA, AEU, collectively)	900-999
Pivot	1000-1099
Boulder	1100-1199
Eastern Metro Business Area Coalition	1200-1299
Holy Cross	1300-1399
SWEEP/NRDC	1400-1499
Mission:Data	1500-1599
Tesla	1600-1699
WRA	1700-1799
William Althouse	1800-1899
Colorado Renewable Energy Society	1900-1999
Solar United Neighbors	2000-2099
Advanced Energy United (for independent AVPP issues-related testimony if necessary)	2100-2199
COSSA/SEIA, CCSA (for independent AVPP issues-related testimony if necessary)	2200-2299

**II. ORDER**

**A. It Is Ordered That:**

1. Consistent with the discussion above, Proceeding Nos. 24A-0547E and 25A-0061E are consolidated for all purposes. Proceeding No. 24A-0547E shall serve as the primary proceeding and all subsequent filings shall be made in that Proceeding and its caption shall appear first.

2. The parties in each proceeding shall be parties in the consolidated proceeding.

3. All proceeding numbers and captions in the consolidated proceeding shall be listed on all future filings as shown above on this Decision.

4. The proposal included in the Procedural Schedule filing made in Compliance with Decision No. C25-0154-I by Public Service Company of Colorado, is adopted, with the modifications set forth in the discussion above.

5. A remote *en banc* evidentiary hearing is scheduled as follows:

DATE: August 25-29, 2025 and September 2-5, 2025

TIME: 9:00 a.m. until 5:00 p.m. on August 25, 26, 28, 29 and September 2, 4, 5, 2025; 1:00 p.m. until 5:00 p.m. on August 27, 2025 and September 3, 2025

WEBCAST: Commission Hearing Room A

METHOD: Join by video-conference using Zoom at the link to be provided to parties by e-mail from Commission staff.

6. The decision deadline in this Proceeding is extended by the additional 130 days pursuant to § 40-6-109.5(1), C.R.S.

7. All participants must comply with the requirements in Attachments A and B to this Decision, which are incorporated into this Decision.

8. The rules governing discovery at 4 *Code of Colorado Regulations* (“CCR”) 723-1-1405(b) and (d) shall apply, with the one modification discussed above regarding the discovery timeline for the May 19, 2025 filing.

9. The Motion for Partial Variance from Commission Decision No. C25-0154-I and Request for Waiver of Response Time filed by Public Service on March 12, 2025, is granted in part, consistent with the discussion above.

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

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
March 26, 2025.**

(S E A L)



ATTEST: A TRUE COPY

Rebecca E. White,  
Director

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

ERIC BLANK

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MEGAN M. GILMAN

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TOM PLANT

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Commissioners