

Decision No. C25-0277-I

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

PROCEEDING NO. 21A-0141E

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IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR APPROVAL OF ITS 2021 ELECTRIC RESOURCE PLAN AND CLEAN ENERGY PLAN.

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**INTERIM COMMISSION DECISION GRANTING  
UNOPPOSED MOTION FOR VARIANCE FROM  
DECISION NO. C25-0024 AND REQUEST FOR WAIVER  
OF RESPONSE TIME**

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Issued Date: April 11, 2025

Adopted Date: April 9, 2025

**I. BY THE COMMISSION**

**A. Statement**

1. Through this Decision, the Commission grants the Unopposed Motion for a Variance from Paragraph 74 of Decision No. C25-0024 Regarding the Deadline to File a Motion to Approve the Independent Auditor (“Unopposed Motion”) that Public Service Company of Colorado (“Public Service” or the “Company”) filed on March 31, 2025. In addition, we waive the remaining response time to the Unopposed Motion.

**B. Discussion**

2. On January 14, 2025, the Commission issued Decision No. C25-0024, granting, in part, and denying, in part, the Clean Energy Plan (“CEP”) Delivery Motion. In Decision No. C25-0024, the Commission approved, among other things, a process by which developers could seek price relief based on changes of federal law. This was intended to encourage developers to move forward with projects even though future tariffs or changes to tax credits might impact the

projects' financials.<sup>1</sup> As part of this price-relief process, an independent auditor ("IA") would independently analyze the documentation provided by various developers and produce initial determinations as to whether the requested price modifications were appropriate.

3. To ensure the IA is ready and available, if and when needed, we directed Public Service to submit a motion to approve the proposed IA together with an IA scope of work no later than March 31, 2025. The Company was further directed to confer with Trial Staff of the Commission ("Staff") and the Colorado Office of the Utility Commission Advocate ("UCA").<sup>2</sup>

4. In the Unopposed Motion, Public Service asserts it has been working diligently to select an IA and finalize a scope of work but that it needs a short extension of the March 31, 2025 deadline. The Company states it has identified a primary candidate to serve as the IA, has developed a draft scope of work with the potential IA, and is now working to finalize the scope of work and to confer with Staff and UCA. Nevertheless, the Company requests a two-week extension of time to file the Motion for Approval of the IA, until April 15, 2025. Public Service argues this short extension will not materially delay the price-relief process or prejudice any party or IPP. As justification for the delay, the Company states it has been prioritizing power purchase agreement ("PPA") negotiations and working with Staff to finalize the scope of work for the independent transmission analyst.

5. The Company asserts its requested relief is unopposed and thus asks that the Commission waive response time.

6. For the reasons set forth in the Unopposed Motion, the Commission finds good cause to extend the March 31, 2025 deadline to April 15, 2025. While the ability for developers to

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<sup>1</sup> Decision No. C25-0024, issued January 14, 2025, ¶ 72.

<sup>2</sup> Decision No. C25-0024, ¶ 74.

seek price relief based on changes of federal law is important, we agree with Public Service that a two-week delay in selecting an IA is unlikely to prejudice any party or IPP.

7. Public Service must submit a motion to approve the proposed IA together with an IA scope of work no later than April 15, 2025. This Decision changes no other requirements of Decision No. C25-0024.

8. Per the Company's request, the remaining response time to the Unopposed Motion is waived.

## **II. ORDER**

### **A. It Is Ordered That:**

1. The Unopposed Motion for a Variance from Paragraph 74 of Decision No. C25-0024 Regarding the Deadline to File a Motion to Approve the Independent Auditor ("Unopposed Motion") that Public Service Company of Colorado filed on March 31, 2025, is granted. Public Service shall file a motion to approve the proposed independent auditor together with scope of work no later than April 15, 2025.

2. The remaining response time to the Unopposed Motion is waived.

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

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
April 9, 2025.**

(S E A L)



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THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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MEGAN M. GILMAN

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Commissioners

Rebecca E. White,  
Director