

Decision No. C25-0299-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 24A-0417E

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR APPROVAL OF ITS COST TO CONSTRUCT PERFORMANCE INCENTIVE MECHANISM ("PIM") AND OPERATIONAL PIM RELATED TO COMPANY-OWNED GENERATION RESOURCES APPROVED IN PROCEEDING NO. 21A-0141E

**INTERIM COMMISSION DECISION GRANTING
MOTION FOR EXTENSION OF TIME TO FILE
SETTLEMENT TESTIMONY**

Issued Date: April 16, 2025

Adopted Date: April 16, 2025

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On September 30, 2024, Public Service Company of Colorado ("Public Service" or the "Company") filed a Verified Application for Approval of its Cost to Construct Performance Incentive Mechanism and Operational PIM related to Company-Owned Generation Resources approved in Proceeding No. 21A-0141E ("Application").

2. Through Decision No. C24-0829-I, issued November 15, 2024, the Commission deemed the Application complete and established the parties to this Proceeding.

3. Through Decision No. C24-0895-I, the Commission, among other things, established a procedural schedule, set a date for a remote evidentiary hearing, and extended the deadline for a final Commission decision to issue by an additional 130 days, as permitted by § 40-6-109.5(1), C.R.S.

4. On April 10, 2025, Public Service filed a Motion to Approve the Unopposed Comprehensive Settlement Agreement and Request for Waiver of Response Time (“Settlement Agreement”). The Settlement Agreement was filed on behalf of the Company, Trial Staff of the Public Utilities Commission (“Staff”), and the Colorado Office of the Utility Consumer Advocate (collectively, the “Settling Parties”).

5. The Settling Parties state that the other parties to this Proceeding—Colorado Energy Consumers and Climax Molybdenum Company—do not join but do not oppose the Settlement Agreement, and therefore the Settlement Agreement is unopposed.

6. On April 14, 2025, Staff filed an Unopposed Motion for Extension of Time to File Settlement Testimony and Request for Waiver of Response Time (“Motion”).

7. In its Motion, Staff states it is unable to complete Settlement Testimony by the April 17 deadline because of the number of concurrent proceedings before the Commission that require Staff’s resources. Staff specifically notes a two-day hearing starting April 17, 2025, in Proceeding No. 24A-0299E (Public Service’s Cabin Creek Facility Project) and the April 18, 2025 deadline for Answer Testimony in Proceeding No. 24A-0442E (Public Service’s Just Transition Solicitation).

8. Staff asserts it needs additional time to provide the Commission with the best information available in support of the Settlement Agreement in this Proceeding, and requests a one-week extension, until April 24, to file Settlement Testimony and asks that this extension be granted for all intervenors.

9. Finally, Staff represents its Motion is unopposed and requests that the Commission waive the remaining response time.

10. Extending the deadline for intervenor settlement testimony to April 24, 2025—just two business days before the start of the evidentiary hearing—is not ideal. We encourage intervenors who are able to submit settlement testimony by April 17, 2025, to do so. Nevertheless, Staff has put forth good cause for why it needs additional time, and the one-week extension should help ensure the Commission receives robust settlement testimony from intervenors. Accordingly, we grant Staff’s Motion. The deadline for all intervenors to file Settlement Testimony will be extended by one week, and shall be due by **April 24, 2025**.

11. Given that Staff’s Motion is unopposed, we waive the remaining response time.

II. **ORDER**

A. **It Is Ordered That:**

1. The Unopposed Motion for Extension of Time to File Settlement Testimony and Request for Waiver of Response Time filed by Staff of the Public Utilities Commission on April 14, 2025, is granted, consistent with the discussion above.

2. The deadline for all intervenors to file Settlement Testimony is extended to **April 24, 2025**.

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

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
April 16, 2025.**

(S E A L)



ATTEST: A TRUE COPY

Rebecca E. White,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ERIC BLANK

MEGAN M. GILMAN

TOM PLANT

Commissioners