

Decision No. C25-0675-I

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

PROCEEDING NO. 25A-0165G

---

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR AUTHORIZATION TO REVISE THE DEPRECIATION RATES FOR GAS UTILITY PLANT ASSETS.

---

**INTERIM COMMISSION DECISION GRANTING, IN THE  
ALTERNATIVE, THE MOTION TO VACATE THE  
EVIDENTIARY HEARING, OR IN THE ALTERNATIVE,  
TRUNCATE THE HEARING, AND REQUEST FOR  
WAIVER OF RESPONSE TIME**

---

Issued Date: September 19, 2025

Adopted Date: September 17, 2025

**I. BY THE COMMISSION**

**A. Statement**

1. On April 11, 2025, Public Service Company of Colorado (“Public Service” or the “Company”) filed this Application which requests the Commission approve the Company’s Application to Review the Depreciation Rates for Gas Utility Plant Assets (“Application”).

2. By this Decision, the Commission grants the alternative request in the Joint Motion to Vacate the Evidentiary Hearing, or in the Alternative Truncate the Hearing, and Request for Waiver of Response Time (“Motion”).

3. The Commission will hold an *en banc* evidentiary hearing in this Proceeding on September 23, 2025; all other previously scheduled hearing dates are vacated. The Commission also waives remaining response time to the Motion.

4. The Commission declines to excuse any witnesses at this time. The parties shall make available: Mr. Steven Berman, Mr. Mark Moeller, Mr. Dane Watson, Mr. Todd Wehner, Mr. Luis Rivera Lugo, and Mr. Ronald Fernandez.

## **B. Background**

5. In Proceeding No. 22AL-0046G, the Commission directed Public Service to file a new depreciation study within six months of the conclusion of the Company's first Clean Heat Plan proceeding.<sup>1</sup> The Commission directed that the depreciation study address factors highlighted by WRA's application for Rehearing, Reargument or Reconsideration ("RRR"), including changes needed based on greenhouse gas emission goals and related policy and statutory changes and understanding how the net salvage values of gas system assets are impacted by changes in pace of investment in the system and the retirement of assets, as well as the interrelationship with shortened useful lives.<sup>2</sup> The Commission reiterated its expectation for the filing of a new depreciation study in Decision No. C24-0778 issued in Proceeding No. 24AL-0049G.<sup>3</sup>

6. In the Company's most recent rate case, the Commission also ordered the Company to create and include: (1) a 25-year depreciation forecast; (2) several future scenarios that incorporate potential reductions in natural gas throughput due to adoption of electrification technologies, subsequent rate impacts due to reduced throughput in gas service, gas customer termination of service, and further elasticity effects; and (3) to explain its specific assumptions with respect to asset decommissioning as part of the Company's depreciation study filing.<sup>4</sup>

7. Additionally, the Commission ordered the Company to create a separate trust account to begin to better address the anticipated costs of removal of gas assets. Specifically, we

---

<sup>1</sup> Decision No. C22-0804 at ¶ 59 issued in Proceeding No. 22AL-0046G on December 13, 2022.

<sup>2</sup> *Id.*

<sup>3</sup> Decision No. C24-0778 at ¶137 issued in Proceeding No. 24AL-0049G on October 25, 2024.

<sup>4</sup> Decision No. C24-0778 at ¶¶137, 138 issued in Proceeding No. 24AL-0049G on October 25, 2024.

directed the Company to place \$15 million per year, collected through the depreciation expense as presently calculated and included in the calculation of the test year revenue requirement, into a separate trust account.<sup>5</sup> By Decision No. C25-0050, the Commission granted Public Service's request that a regulatory liability be set up to reflect amounts to be invested in the trust and recognized that the development and implementation of the depreciation trust is a significant new endeavor.<sup>6</sup> The Commission also granted the Company's request to put forth its proposal on the form and investment strategy of the trust in this Proceeding, as well as a brief extension of the filing deadline for this Proceeding.<sup>7</sup> By Decision No. C25-0235, in Proceeding No. 24AL-0049G, the Commission approved a filing deadline of April 11, 2025 for this Proceeding.

8. On April 11, 2025, Public Service filed this Application, supported by the direct testimony of four witnesses and including a new depreciation study.<sup>8</sup>

9. By Decision No. C25-0400-I, the Commission established the parties to this Proceeding: Western Resource Advocates/Sierra Club ("WRA/SC"); Staff of the Colorado Public Utilities Commission ("Staff"); and the Utility Consumer Advocate ("UCA").

10. By Decision No. C25-0455-I, the Commission established the procedural schedule for this Proceeding, including an *en banc* evidentiary hearing for September 23-26, 2025.

11. Staff and UCA filed Answer Testimony on July 22, 2025.

12. Public Service filed Rebuttal Testimony on August 21, 2025

13. On September 5, 2025, the Company filed an "Unopposed Comprehensive Settlement Agreement" and an Unopposed Joint Motion to Approve Settlement Agreement.

---

<sup>5</sup> Decision No. C24-0778 at ¶136 issued in Proceeding No. 24AL-0049G on October 25, 2024.

<sup>6</sup> Decision No. C25-0050 at ¶121 issued in Proceeding No. 24AL-0049G on January 23, 2025.

<sup>7</sup> Decision No. C25-0050 at ¶¶ 121-126 issued in Proceeding No. 24AL-0049G on January 23, 2025.

<sup>8</sup> Hr. Ex. 103 (Watson Direct), Attachment DAW-1.

UCA, Staff, and the Company join the Settlement Agreement and WRA/SC takes no position. The Company states that the Settlement Agreement resolves all issues present in this Proceeding.

14. On September 10, 2025, the Company filed Settlement Testimony from Mr. Steven P. Berman, UCA filed Settlement testimony from Mr. Ronald Fernandez, and Staff filed Settlement Testimony from Mr. Luis Rivera Lugo.

15. On September 10, 2025, the Company filed the Motion requesting the evidentiary hearing be vacated or truncated. The Motion is filed on behalf of all parties: Staff, UCA, WRA/SC, and the Company. Also on September 10, 2025, the Company filed a Cross-Examination Matrix which indicated no scheduled cross for any witness in the Proceeding.

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

16. In its Motion, the Company states that the parties believe that because of the limited scope of the disputed issues remaining in the Proceeding, they believe that the Proceeding can be efficiently and appropriately resolved on the pleadings based on the Commission's consideration of the pre-filed testimony and attachments in the Proceeding. The parties support the request to vacate the evidentiary hearing and remainder of the procedural schedule to promote efficient use of Commission and party resources.

17. In the alternative, the parties state that if the Commission has remaining factual or policy questions for the parties or questions on the Settlement Agreement, then they support truncating the evidentiary hearing to the first day of the scheduled hearing, September 23, 2025, leaving other procedural schedule dates in place. If the Commission wishes to hold a hearing on the Settlement Agreement, the parties intend to present the testimony of the witnesses who filed Settlement Testimony. Therefore, they request that the Commission waive the appearance of the witnesses for whom the Commission does not have questions. They also request that if the

Commission has any questions of witnesses other than the witnesses who filed Settlement Testimony, that the Commission provide the parties with reasonable notice prior to the hearing of the identities of those witnesses of whom the Commission will have questions.

18. We find good cause to grant the Motion's alternative request and vacate all evidentiary hearing dates except for September 23, 2025. The record would be aided by an opportunity for the Commission to ask questions of the parties. We find that one day will be sufficient for this hearing, and therefore vacate all other previously scheduled hearing dates, September 24-26, 2025. Finally, as the Motion is unopposed, we find good cause to waive remaining response time to this Motion pursuant to Rule 1308(c) of the Rules of Practice and Procedure, 4 *Code of Colorado Regulations* 723-1.

19. The Commission declines to excuse any witnesses at this time. The parties shall make available: Mr. Steven Berman, Mr. Mark Moeller, Mr. Dane Watson, Mr. Todd Wehner, Mr. Luis Rivera Lugo, and Mr. Ronald Fernandez.

## **II. ORDER**

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

1. The Joint Motion to Vacate the Evidentiary Hearing, or in the Alternative Truncate the Hearing, and Request for Waiver of Response Time ("Motion") filed by Public Service Company of Colorado on September 10, 2025, is granted with respect to the alternative request found therein.

2. The Commission will hold an *en banc* evidentiary hearing in this Proceeding on September 23, 2025; all other previously scheduled hearing dates are vacated. The Commission also waives remaining response time to the Motion.

3. The Commission declines to excuse any witnesses at this time. The parties shall make available: Mr. Steven Berman, Mr. Mark Moeller, Mr. Dane Watson, Mr. Todd Wehner, Mr. Luis Rivera Lugo, and Mr. Ronald Fernandez.

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

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
September 17, 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