

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 25A-0284G

IN THE MATTER OF THE APPLICATION OF COLORADO NATURAL GAS, INC. FOR
APPROVAL OF ITS 2026-2027 DSM PLAN.

**INTERIM DECISION
VACATING HEARING AND DEADLINES**

Issued Date: October 22, 2025

I. STATEMENT AND SUMMARY

1. This Decision vacates the fully remote evidentiary hearing scheduled for November 3, 2025 and remaining procedural deadlines, except that the deadline to file Statements of Position (“SOPs”) remains but is now a discretionary deadline, (*i.e.*, the parties are not required to file SOPs).

II. PROCEDURAL HISTORY¹

2. On July 1, 2025, Colorado Natural Gas, Inc. (“CNG” or the “Company”) filed the above-captioned Application (“Application”) with testimony and exhibits requesting that the Public Utilities Commission (“Commission”) approve its 2026-2027 Demand Side Management Plan.

3. Also on July 1, 2025, the Commission provided public notice of the Application and established a deadline to intervene.²

4. On August 6, 2025, the Commission deemed the Application complete and referred this matter by minute entry to an Administrative Law Judge (“ALJ”) for disposition.

¹ Only the procedural history necessary to understand this Decision is included.

² Notice of Application filed July 1, 2025.

5. In addition to CNG, the Office of the Utility Consumer Advocate (“UCA”) and Commission Trial Staff (“Staff”) are parties to this Proceeding, having timely intervened of right.³

6. On September 18, 2025, the ALJ scheduled an evidentiary hearing on the merits of the Application for November 3, 2025 and established procedures and deadlines relating to that hearing, as explained below.⁴

7. On October 3, 2025, CNG filed an Unopposed Motion to Approve Comprehensive and Unanimous Settlement Agreement and Request for Waiver of Response Time (“Motion”) and a Unanimous Comprehensive Settlement Agreement (“Settlement Agreement” or “Agreement”). Staff, UCA, and CNG (“Settling Parties”) executed the Settlement Agreement.⁵

III. FINDINGS AND CONCLUSIONS

8. The Commission may decide uncontested matters without a hearing when one is not required or requested; the application is accompanied by a sworn statement verifying sufficient facts; and the record includes sufficient facts and evidence to make a determination on the relief sought.⁶ In addition, the Commission encourages settlement of contested proceedings.⁷

9. The Motion and Settlement Agreement are unopposed.⁸ The Motion requests that the Agreement be approved without modification and that a recommended decision issue before January 1, 2026.⁹ The Settling Parties describe the Agreement as comprehensive.¹⁰ The ALJ

³ Decision No. R25-0672-I at 5 (issued September 18, 2025).

⁴ *Id.* at 5-9.

⁵ Settlement Agreement at 8-9.

⁶ Rule 1403 of the Commission’s Rules of Practice and Procedure, 4 *Code of Colorado Regulations* (“CCR”) 723-1. *See* § 40-6-109(5), C.R.S., (2025).

⁷ Rule 1408, 4 CCR 723-1.

⁸ Motion at 2. *See* Settlement Agreement at 1 and 8-9.

⁹ Motion at 4.

¹⁰ Settlement Agreement at 1.

construes this to mean that the Agreement is intended to comprehensively resolve all issues the Settling Parties raised or could have raised in this Proceeding.

10. The ALJ has identified no issues with the Settlement Agreement that warrant an evidentiary hearing, particularly given that it is comprehensive and unopposed. Based on the Agreement, Motion, and the record, the ALJ finds that a hearing is not required or requested; the Application is accompanied by a sworn statement verifying sufficient facts; and the record includes sufficient facts and evidence to make a determination on the relief sought. As such, the ALJ will decide this matter without a hearing based on the record.¹¹ Doing so promotes administrative economy and efficiency; conserves the Settling Parties' resources, thereby reducing the costs of this Proceeding; and is consistent with the Commission's policy to promote settlement of contested matters.¹² For the reasons discussed, the November 3, 2025 hearing is vacated.

11. The ALJ finds that except as noted, all remaining procedural deadlines will be vacated as unnecessary. To the extent that the Settling Parties did not meet deadlines that have passed prior to this Decision's issuance, (*e.g.*, certain written testimony deadlines), that failure is excused as reasonable under the circumstances.¹³ The ALJ does not vacate the November 18, 2025 deadline to file SOPs, but instead converts this to a discretionary filing that the Settling Parties may make if they so desire.

12. The ALJ anticipates issuing a written recommended decision before January 1, 2026.¹⁴

¹¹ See Rule 1403, 4 CCR 723-1. See generally, Motion; Settlement Agreement; Hearing Exhibit 100; Application; Attachments A to D to Application.

¹² See Rule 1408, 4 CCR 723-1.

¹³ CNG informally notified the ALJ via email on October 1, 2025 (the deadline to file Answer Testimony) that a comprehensive settlement had been reached. This further supports the ALJ's finding above that the Settling Parties' failure to meet certain deadlines is reasonable under the circumstances.

¹⁴ The ALJ will decide Motion as part of the written recommended decision that will issue as soon as practicable.

IV. ORDER

A. It Is Ordered That:

1. The November 3, 2025 fully remote evidentiary hearing scheduled by Decision No. R25-0672-1 (issued September 18, 2025) is vacated.
2. Except for the deadline to file Statements of Position (“SOPs”), all other deadlines in Decision No. R25-0672-1 are vacated, and the parties’ failure to meet deadlines prior to this Decision’s issue date is excused.
3. Any party wishing to file an SOP must do so by the November 18, 2025 deadline to file SOPs in Decision No. R25-0672-1. This is a discretionary filing and is not mandatory.
4. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

MELODY MIRBABA

Administrative Law Judge

ATTEST: A TRUE COPY

Rebecca E. White,
Director