

Decision No. R25-0777-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 25F-0335EG

NEVILLE RUSTOMJEE,

COMPLAINANT,

V.

PUBLIC SERVICE COMPANY OF COLORADO,

RESPONDENT.

**INTERIM DECISION
ORDERING SERVICE OF MOTION TO DISMISS AND
SETTING DATE FOR RESPONSE**

Issued Date: October 29, 2025

I. STATEMENT

1. On August 11, 2025, Neville Rustomjee filed a Complaint against Public Service Company of Colorado, (“Respondent” or “Public Service”). That filing commenced this proceeding.

2. On August 13, 2025, Public Utilities Commission Staff served a copy of the Complaint, together with an order requiring the Respondent to satisfy or answer said complaint within 20 days, in accordance with § 40-6-108, C.R.S. An evidentiary hearing was scheduled for October 27, 2025.

3. On August 27, 2025, the above-captioned proceeding was referred by minute entry to an Administrative Law Judge (“ALJ”).

4. On August 27, 2025, Public Service filed its Motion to Dismiss Formal Complaint with Prejudice (“Motion to Dismiss”).

5. On September 26, 2025, by Decision No R25-0702, the Motion to Dismiss was granted and the above-captioned proceeding closed.

6. On October 10, 2025, the Complainant filed Exceptions to Recommended Decision No 25-0702 (“Exceptions”).

7. On October 14, 2025, Public Service filed its Response to Exceptions of Complainant Neville Rustomjee (“Response”).

8. On October 27, 2025, by Decision No. C25-0774, the Commission granted the exceptions and remanded the proceeding to the undersigned ALJ.

II. DISCUSSION

9. The Commission granted the exceptions of the Complainant because Public Service, contrary to the certificate of service attached to their Motion to Dismiss, failed to serve the Complainant with the Motion to Dismiss.

10. Public Service failed to state in its Response if it has yet served the Complainant with the Motion to Dismiss. Based upon this omission, the undersigned ALJ shall order Public Service to file and serve the Complainant with the Motion to Dismiss by November 10, 2025.

11. The Complainant shall have until November 24, 2025, to file a response.

12. Any additional procedural schedule, if necessary, shall be addressed contemporaneously with a ruling on the Motion to Dismiss.

III. ORDER**It is Ordered That:**

1. Public Service Company of Colorado shall file and serve Neville Rustomjee, the Complainant, a copy of its Motion to Dismiss Formal Complaint with Prejudice ("Motion to Dismiss") by November 10, 2025.
2. Mr. Neville Rustomjee, Complainant, shall have until November 24, 2025, to file a response to the Motion to Dismiss.
3. Any additional procedural schedule shall be addressed contemporaneously with a ruling on the Motion to Dismiss.
4. This Decision shall be effective immediately.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ROBERT I. GARVEY

Administrative Law Judge

ATTEST: A TRUE COPY

Rebecca E. White,
Director