

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 20A-0345E

IN THE MATTER OF THE VERIFIED APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR APPROVAL OF AN ECONOMIC DEVELOPMENT RATE (EDR) PROPOSAL PURSUANT TO COLORADO HB 18-1271.

**COMMISSION DECISION MODIFYING HEARING
SCHEDULE AND ESTABLISHING
ELECTRONIC HEARING PROCEDURES**

Mailed Date: March 12, 2021

Adopted Date: March 10, 2021

I. BY THE COMMISSION

A. Statement

1. This Decision adjusts the start time of an evidentiary hearing scheduled for April 7, 2021 and establishes electronic hearing procedures.

B. Background

2. On August 21, 2020, Public Service Company of Colorado (Public Service or Company) filed an application to implement an Economic Development Rate (EDR) pursuant to House Bill 18-1271. The proposed EDR is designed to recruit incremental or expanded loads from large customers through a rate discount via contracts up to ten years. By Decision No. C20-0702-I, issued October 6, 2020, the Commission deemed the application complete and set the matter for hearing *en banc*.

3. On October 28, 2020, through Decision No. C20-0756-I, the Commission approved an unopposed motion regarding the proceeding's procedural schedule and set remote evidentiary hearings for April 5-9, 2021 beginning at 9:00 a.m. each day. Procedures for remote hearing, if still necessary, were left for subsequent order. Decision No. C21-0756-I also vacated

the prehearing conference and granted a separate motion for extraordinary protection of certain filed information.

4. The procedural schedule was adjusted through a subsequent Decision No. C21-0051-I, issued January 28, 2021, which granted with modifications an unopposed motion to amend the procedural schedule. Evidentiary hearings remained scheduled for April 5-9, 2021.

5. The Commission recognizes an internal conflict on April 7, 2021, and now requires the hearing scheduled that day to start in the afternoon to accommodate the standing Commissioners' Weekly Meeting that occurs on Wednesdays at 9:00 a.m.

6. State of Colorado government offices remain closed to public gatherings to manage the challenges of the COVID-19 pandemic safely and effectively. The Commission finds that holding this hearing remotely is consistent with public health advisories to prevent the spread of COVID-19 and is in the public interest.

C. Conclusions and Findings

7. The procedural schedule remains as approved with modifications by Decision No. C20-0756-I, issued October 28, 2020; Decision No. C21-0032-I, issued January 14, 2021; and Decision No. C21-0051-I, issued January 28, 2021:

Procedural Activity	Date
Supplemental Direct Testimony	December 11, 2020
Second Supplemental Direct Testimony	January 25, 2021
Answer Testimony	February 16, 2021
Rebuttal & Cross-Answer Testimony	March 15, 2021
Stipulations and/or Settlement Agreements	March 26, 2021
Prehearing Motions	March 26, 2021
Corrections to Pre-Filed Testimony and Attachments	March 26, 2021
Witness Cross-Examination Matrix	March 26, 2021

Responses to Prehearing Motions	March 31, 2021
Evidentiary Hearing	April 5-9, 2021
Statements of Position	April 23, 2021

8. The Commission finds the need to adjust the start date for one day of the hearing, April 7, 2021, from 9:00 a.m. to 1:00 p.m.

9. The evidentiary hearing will be held remotely. The Commission will use the web-hosted video conferencing service Zoom to hold the remote evidentiary hearing. The presentation of evidence at the hearing shall be done through electronic exhibits to the fullest extent possible, with the exception of exhibits used for impeachment or any other exhibits admitted into evidence for the first time during the hearing. This Decision and Attachment A hereto include requirements to facilitate holding the hearing remotely and are intended to ensure that the remote evidentiary hearing proceeds efficiently without technical problems.

10. Attachment A includes important requirements and technical information on participating in the evidentiary hearing through the Zoom platform.

11. As such, it is vitally important that the parties carefully review and follow all requirements in this Decision and in Attachment A. To minimize the potential that the video-conference hearing may be disrupted by non-participants, the Zoom link and meeting ID or access code will be provided to the parties by email before the hearing, and the parties and witnesses will be prohibited from distributing that information to anyone not participating in the hearing.

II. ORDER

A. The Commission Orders That:

1. The evidentiary hearing that is scheduled for April 5 through 9, 2021, is modified as follows:

DATES: April 5 through 9, 2021

TIME: 9:00 a.m. until concluded, but no later than 5:00 p.m. April 5, 6, 8, and 9, 2020; and 1:00 p.m. until concluded, but no later than 5:00 p.m. April 7, 2020.

PLACE: By video conference using Zoom at a link provided to parties by email.

2. Electronic procedures are modified to include details discussed above and explained further in Attachment A.

3. This Decision is effective upon its Mailed Date.

B. **ADOPTED IN COMMISSIONERS' WEEKLY MEETING March 10, 2021.**

(S E A L)



ATTEST: A TRUE COPY

Doug Dean

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ERIC BLANK

JOHN GAVAN

MEGAN GILMAN

Commissioners