

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 20A-0544FEG

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR AN ORDER GRANTING TO IT A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO EXERCISE FRANCHISE RIGHTS IN THE CITY OF BOULDER, COLORADO.

**INTERIM DECISION SHORTENING RESPONSE
TIME TO MOTION CONTESTING INTERIM
DECISION NO. R21-0106-I AND REQUESTING THAT THE
PUBLIC UTILITIES COMMISSION ALLOW
INTERVENTION BY STEPHEN POMERANCE**

Mailed Date: April 14, 2021

Adopted Date: April 14, 2021

I. BY THE COMMISSION

A. Statement

1. This Decision shortens to April 16, 2021, the response time to a Motion Contesting Interim Decision R21-0106-I and Requesting that the Public Utilities Commission Allow Intervention by Stephen Pomerance.

B. Findings and Conclusion

2. On December 21, 2020, Public Service Company of Colorado (Public Service) filed a Verified Application for a Certificate of Public Convenience and Necessity to Exercise Franchise Rights in the City of Boulder, Colorado (Application).

3. On February 3, 2021, the Commission deemed the Application complete and referred the proceeding to an Administrative Law Judge (ALJ) for disposition.

4. On January 15, 2021, Stephen Pomerance filed a Motion to Intervene. Public Service filed an Opposition to Mr. Pomerance's Motion to Intervene on January 22, 2021. Mr. Pomerance filed his Motion for Leave to Reply on January 28, 2021.

5. On February 26, 2021, through Decision No. R21-0106-I, the ALJ confirmed the notices of intervention by right filed by the City of Boulder, Staff of the Public Utilities Commission, and the Office of Consumer Counsel, and denied Mr. Pomerance's Motion for Leave to Reply and to Intervene.

6. On March 9, 2021, Mr. Pomerance filed a Motion Requesting Modification of Decision No. R21-0106-I (Motion for Modification) to grant his Motion for Leave to Reply and Motion to Intervene.

7. On March 16, 2021, through Decision No. R21-0157-I, the ALJ established a procedural schedule, setting April 27, 2021 as the deadline for Answer Testimony.

8. On April 8, 2021, through Decision No. R21-0206-I, the ALJ denied Mr. Pomerance's Motion for Modification. The ALJ certified Decision No. R21-0206-I immediately appealable.

9. The response time for the Motion Contesting Interim Decision expires on April 26, 2021. Answer Testimony in this proceeding is due April 27, 2021. Therefore, although Mr. Pomerance does not request shortened response time in his Motion Contesting Interim Decision, we find that it is appropriate to shorten response time to the Motion Contesting Interim Decision to April 16, 2021.

II. ORDER

A. It Is Ordered That:

1. Responses to the Motion Contesting Interim Decision R21-0106-I and Requesting that the Public Utilities Commission Allow Intervention by Stephen Pomerance filed by Stephen Pomerance on April 12, 2021, shall be filed on or before April 16, 2021.

2. This Decision is effective upon its Mailed Date.

B. **ADOPTED IN COMMISSIONERS' WEEKLY MEETING April 14, 2021.**

(S E A L)



ATTEST: A TRUE COPY

Doug Dean

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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JOHN GAVAN

MEGAN M. GILMAN

Commissioners