

Decision No. R22-0703

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 22F-0392EG

JOHN DECRENZA,

COMPLAINANT,

V.

PUBLIC SERVICE COMPANY OF COLORADO,

RESPONDENT.

**RECOMMENDED DECISION OF
ADMINISTRATIVE LAW JUDGE
CONOR F. FARLEY
GRANTING MOTION TO DISMISS COMPLAINT AND
VACATE HEARING, VACATING HEARING, AND
CLOSING PROCEEDING**

Mailed Date: November 10, 2022

I. STATEMENT

A. Relevant Background

1. On September 8, 2022, John DeCrenza filed a Formal Complaint (Complaint) against Public Service Company of Colorado (Public Service).

2. On September 13, 2022, the Commission scheduled the Complaint for an evidentiary hearing on November 28, 2022 starting at 9:00 a.m.

3. On September 21, 2022, the Commission referred this proceeding to an Administrative Law Judge (ALJ). The proceeding was subsequently assigned to the undersigned ALJ.

4. On October 14, 2022, Public Service filed a Motion to Dismiss Complaint and Vacate Hearing because “the Parties have voluntarily and mutually agreed to the complete resolution of the dispute” (Motion to Dismiss).

B. Analysis

5. Public Service has stated good cause to grant the Motion to Dismiss. Accordingly, the Motion to Dismiss shall be granted.

II. ORDER

A. The Commission Orders That:

1. The Motion to Dismiss and Vacate Hearing filed by Public Service Company of Colorado on October 14, 2022, is granted.

2. The hearing scheduled for November 28, 2022 at 9:00 a.m. is vacated.

3. Proceeding No. 22F-0392EG is closed.

4. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if that is the case, and is entered as of the date above.

5. As provided by § 40-6-109, C.R.S., copies of this Recommended Decision shall be served upon the parties, who may file exceptions to it.

a) If no exceptions are filed within 20 days after service or within any extended period of time authorized, or unless the decision is stayed by the Commission upon its own motion, the Recommended Decision shall become the decision of the Commission and subject to the provisions of § 40-6-114, C.R.S.

b) If a party seeks to amend, modify, annul, or reverse basic findings of fact in its exceptions, that party must request and pay for a transcript to be filed, or the parties may stipulate to portions of the transcript according to the procedure stated in § 40-6-113, C.R.S. If no transcript or stipulation is filed, the Commission is bound by the facts set out by the administrative law judge and the parties cannot challenge these facts. This will limit what the Commission can review if exceptions are filed.

6. If exceptions to this Decision are filed, they shall not exceed 30 pages in length, unless the Commission for good cause shown permits this limit to be exceeded.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

CONOR F. FARLEY

Administrative Law Judge

ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Doug Dean".

Doug Dean,
Director