

Decision No. R22-0787-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 22A-0322E

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO CONCERNING AN APPEAL OF A LOCAL GOVERNMENTAL LAND USE DECISION ISSUED BY THE TOWN OF EATON.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
ALENKA HAN
EXTENDING STAY**

Mailed Date: December 6, 2022

I. STATEMENT

1. By Decision No. R22-0508-I, this Proceeding was stayed pending a further order. That decision ordered the Town of Eaton (the Town), a Colorado statutory municipality, and Public Service Company of Colorado (Public Service) (collectively Joint Movants) to file either (1) a Status Report and proposed procedural schedule or, (2) a motion to further stay or dismiss this Proceeding on or before October 17, 2022, as appropriate.

2. On October 17, 2022, Public Service and the Town filed their Unopposed Joint Motion to Extend Stay of Proceeding and Request for Waiver of Response Time. In that Motion, Joint Movants request that the stay of this Proceeding be extended through December 28, 2022.

3. Joint Movants continue to work together in good faith to complete the various conditions and milestones set forth in their Settlement Agreement. However, as further detailed in the Joint Motion, additional time is necessary to complete those conditions and milestones. Joint

Movants remain optimistic that they are on track, through the Settlement Agreement, to fully resolve all issues raised in Public Service's Application.

4. To provide parties and the Public Utilities Commission (Commission) with greater procedural certainty, the Joint Movants request that the Administrative Law Judge (ALJ) direct the Joint Movants to file by December 28, 2022: (1) a Status Report and proposed procedural schedule, (2) a motion to stay this Proceeding further or to dismiss the Proceeding, or (3) a notice withdrawing the Application, as appropriate.

5. The Joint Movants conferred with all parties to this Proceeding, which include: Trial Staff of the Commission (Staff), and the Colorado Office of the Utility Consumer Advocate (UCA). Joint Movants are authorized to state that Staff and the UCA do not oppose the requested relief.

6. Based upon good cause shown for the unopposed request, response time to the Motion will be waived and the Joint Motion will be granted.

II. **ORDER**

A. **It Is Ordered That:**

1. Response time to the Town and Public Service's Unopposed Joint Motion to Extend Stay of Proceeding and Request for Waiver of Response Time filed on October 17, 2022, is waived and the motion is granted.

2. On or before December 28, 2022, Public Service Company of Colorado and the Town of Eaton must file either: (1) a Status Report and proposed procedural schedule, (2) a motion to stay this Proceeding further or to dismiss this Proceeding, or (3) a notice withdrawing the Application, as appropriate.

3. This proceeding is stayed pending a further order.
4. This Decision is effective immediately.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



ALENKA HAN

Administrative Law Judge

ATTEST: A TRUE COPY

A handwritten signature in cursive script, appearing to read "G. Harris Adams".

G. Harris Adams,
Interim Director