

Decision No. R22-0810-I

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO**

PROCEEDING NO. 22F-0263EG

---

OLSON’S GREENHOUSES OF COLORADO, LLC,

COMPLAINANT,

V.

PUBLIC SERVICE COMPANY OF COLORADO,

RESPONDENT.

---

**INTERIM DECISION OF  
ADMINISTRATIVE LAW JUDGE  
CONOR F. FARLEY  
GRANTING UNOPPOSED MOTION TO RESET  
PROCEDURAL SCHEDULE**

---

Mailed Date: December 16, 2022

**TABLE OF CONTENTS**

I. STATEMENT..... 1  
    A. Relevant Background ..... 1  
    B. Analysis ..... 3  
II. ORDER..... 3  
    A. It is Ordered That: ..... 3

**I. STATEMENT**

**A. Relevant Background**

1. On June 10, 2022, Olson’s Greenhouses of Colorado, LLC (Olson’s) filed a Formal Complaint (Complaint) against Public Service Company of Colorado (Public Service).

2. On June 15, 2022, the Commission referred this proceeding to an Administrative Law Judge (ALJ). The proceeding was subsequently assigned to the undersigned ALJ.

3. On August 17, 2022, the ALJ issued Decision No. R22-0489-I that adopted the following procedural schedule proposed by the parties:

<u>Event</u>	<u>Deadline</u>
Direct Testimony	December 9, 2022
Answer Testimony	January 13, 2023
Rebuttal Testimony	February 10, 2023
Prehearing Motions	February 17, 2023
Settlement Agreements	February 21, 2023
Responses to Prehearing Motions	February 24, 2023
Hearing	February 28 through March 1, 2023
Statements of Position	March 24, 2023
Statutory Deadline	July 7, 2023

4. On December 8, 2022, Olson’s filed an Unopposed Motion to Reset Procedural Schedule (Unopposed Motion). The new proposed schedule is as follows:

<u>Event</u>	<u>Deadline</u>
Direct Testimony	January 9, 2023
Answer Testimony	February 14, 2023
Rebuttal Testimony	March 10, 2023
Prehearing Motions	March 17, 2023
Settlement Agreements	March 21, 2023
Responses to Prehearing Motions	March 24, 2023
Hearing	April 17 and 18, 2023
Statements of Position	May 15, 2023
Statutory Deadline	August 7, 2023

As justification, Olson's stated that its outside expert mis-calendared the direct testimony deadline in January 2023, not December 9, 2022.

## **B. Analysis**

5. Olson's has stated good cause to grant the Unopposed Motion. However, the ALJ will modify the deadline for Statements of Position to May 3, 2023 to give the ALJ sufficient time to review the record and issue the Recommended Decision.

6. Based on the input of the parties, the hearing will be conducted as an in-person hearing. As stated in previous decisions, the parties are on notice that the ALJ will retain the discretion to change the method by which the hearing will be conducted (i.e., from in-person to remote or hybrid).

## **II. ORDER**

### **A. It is Ordered That:**

1. The in-person evidentiary hearing currently scheduled for February 28-March 1, 2023 is vacated and rescheduled as follows:

DATE: April 17 and 18, 2023

TIME: 9:00 a.m. to 5:00 p.m.

PLACE: Commission Hearing Room B  
1560 Broadway, 2<sup>nd</sup> Floor  
Denver, Colorado

WEBCAST: Hearing Room B

METHOD: In-person

2. The procedural schedule stated in paragraph 4, as modified as described in paragraph 5, is adopted.

3. This Decision is effective immediately.

(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, appearing to read 'G. Harris Adams'.

G. Harris Adams,  
Interim Director