

Decision No. R25-0442-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 25F-0175EG

ANN TONEY,

COMPLAINANT,

V.

PUBLIC SERVICE COMPANY OF COLORADO,

RESPONDENT.

**INTERIM DECISION GRANTING EXTENSION OF
ANSWER DEADLINE AND ADDRESSING RESPONSE
TIME WAIVER REQUEST**

Issued Date: June 6, 2025

I. STATEMENT

1. On April 25, 2025, Ann Toney (“Complainant” or “Ms. Toney”) filed a Formal Complaint (“Complaint”) against Public Service Company of Colorado (“Public Service,” “Respondent,” or the “Company”).¹

2. On April 28, 2025, the Director of the Colorado Public Utilities Commission (“Director”) issued an Order to Satisfy or Answer, directing Respondent to either satisfy the matters raised in the Complaint or file a written answer within 20 days of service of the Order.

¹ The Complaint identified “Xcel Energy” as the Respondent in the Complaint. However, Public Service Company of Colorado conducts utility operations in Colorado as a wholly owned subsidiary of Xcel Energy Inc., a public utility holding company. Accordingly, Public Service is the proper designation for the Respondent in this matter.

The Director also issued an Order Setting Hearing and Notice of Hearing, scheduling a hearing in this matter before an Administrative Law Judge (“ALJ”) on July 10, 2025.

3. On May 16, 2025, the Public Service Company of Colorado’s Unopposed Motion for Extension of Answer Deadline and Waiver of Response Time (“Motion”) was filed by Respondent. In the Motion, Public Service states that the Motion is unopposed, that it is engaged in a “constructive dialogue with the Complainant to resolve this matter in a mutually agreeable manner,”² and requests an extension of the Answer deadline from May 19, 2025, to June 19, 2025. Public Service explains that the additional time is necessary “[t]o allow sufficient time for the Company to complete the energy audit, and for the parties to attempt to reach an amicable resolution of this matter without the need for litigation.”³ The Company further requests that response time to the Motion be waived pursuant to Rule 1308(c) of the Rules of Practice and Procedure, 4 *Code of Colorado Regulations* (“CCR”) 723-1.

4. The ALJ finds and concludes that good cause exists to grant Public Service’s request to extend the deadline for filing its Answer to the Complaint through June 19, 2025. Accordingly, the Motion will be granted as to the extension request, as ordered below.

5. Because response time to the Motion has passed,⁴ Public Services’ request to waive response time to the motion will be denied as moot, as ordered below.

II. **ORDER**

It is Ordered That:

1. Consistent with the Discussion above, Public Service Company of Colorado’s Unopposed Motion for Extension of Answer Deadline and Waiver of Response Time (“Motion”),

² Motion at p. 2.

³ *Id.* at p. 2-3.

⁴ *See* Rule 1400(b) of the Rules of Practice and Procedure, 4 CCR 723-1.

filed May 16, 2025, by Public Service Company of Colorado (“Public Service”) is granted. as to Public Service’s extension request.

2. Consistent with the discussion above, Public Service’s request to waive response time to the Motion is denied as moot.

3. Public Service may file its Answer to the Formal Complaint in the above-captioned matter by June 19, 2025.

4. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

AVIV SEGEV

Administrative Law Judge

ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads 'Rebecca E. White'.

Rebecca E. White,
Director