

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

PROCEEDING NO. 13AL-0958E

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IN THE MATTER OF ADVICE LETTER NO. 1649 - ELECTRIC FILED BY PUBLIC SERVICE COMPANY OF COLORADO TO IMPLEMENT A NEW METHODOLOGY TO DERIVE PAYMENT RATES APPLICABLE TO QUALIFYING FACILITIES ("QFS") WITH A DESIGN CAPACITY BETWEEN 10 AND 100KW, TO BECOME EFFECTIVE SEPTEMBER 27, 2013.

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**INTERIM DECISION OF  
ADMINISTRATIVE LAW JUDGE  
G. HARRIS ADAMS  
GRANTING EXTENSION OF TIME TO  
FILE ANSWER TESTIMONY**

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Mailed Date: January 3, 2014

**I. STATEMENT**

1. On January 2, 2014, Western Colorado Power Company, LLC's (WCPC) Unopposed Emergency Motion for Extension of Time to File Answer Testimony was filed. WCPC requests an enlargement of time to file answer testimony on an emergency basis.

2. By Decision No. R13-1443-I issued November 18, 2013, direct testimony was to be filed on December 3, 2013, and Answer testimony and Exhibits is due to be filed no later than January 3, 2014.

3. WCPC timely served Public Service Company of Colorado (Public Service) its First Set of Discovery Requests on December 19, 2013.

4. WCPC understands from Public Service that discovery responses from Public Service are not likely to be completed before close of business Tuesday, January 7, 2014.

However, Public Service has agreed to serve discovery responses piecemeal upon WCPC in order to expedite review of those matters by WCPC.

5. WCPC anticipates that the Answer Testimony of Eric R. Jacobson will address various factual circumstances and matters which were the focus of WCPC's First Set of Discovery Requests. To avoid prejudice of the untimely discovery responses, WCPC seeks additional time to complete preparation of Answer Testimony.

6. By Decision No. R14-0003-I issued January 2, 2014, response time to WCPC's motion was shortened to 10:00 a.m. on January 3, 2014.

7. On January 2, 2014, the Vote Solar Initiative's (VSI) Response to Western Colorado Power Company, LLC's Unopposed Emergency Motion for Extension of Time to File Answer Testimony was filed. VSI does not oppose the requested relief, but requests clarification as to whether the extension will apply to all parties.

8. The motion requests relief on behalf of WCPC. However, By Decision No. R13-1443-I, parties were ordered to serve responses to discovery on all parties. Thus, there is potential for the awaited discovery responses to affect answer testimony of other parties. To avoid prejudice from the delay, extension of the procedural deadline will apply for the benefit of all parties.

## **II. ORDER**

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

1. Western Colorado Power Company, LLC's Unopposed Emergency Motion for Extension of Time to File Answer Testimony filed on January 2, 2014, is granted.

2. On or before January 9, 2014, each intervenor shall file its answer testimony and exhibits.
3. This Interim Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

G. HARRIS ADAMS

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Administrative Law Judge

ATTEST: A TRUE COPY

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

Doug Dean,  
Director