

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 10AL-963G

IN THE MATTER OF ADVICE LETTER NO. 791 FILED BY PUBLIC SERVICE COMPANY OF COLORADO TO INCREASE THE RATES FOR ALL NATURAL GAS SALES AND TRANSPORTATION SERVICES BY IMPLEMENTING A GENERAL RATE SCHEDULE ADJUSTMENT (“GRSA”) IN THE COMPANY’S COLORADO P.U.C. NO. 6 GAS TARIFF TO BECOME EFFECTIVE JANUARY 17, 2011.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
MANA L. JENNINGS-FADER
REQUIRING STAFF TO MAKE FILING**

Mailed Date: January 24, 2014

I. STATEMENT

1. On December 17, 2010, Public Service Company of Colorado (Public Service, PSCo, or the Company) filed Advice Letter No. 791-Gas with proposed tariff sheets. In that filing and as pertinent here, Public Service sought Commission approval of a Pipeline Safety Integrity Adjustment rate rider.

2. The procedural history of this Proceeding is set out in Interim Decisions previously issued in this matter. The procedural history is repeated here as necessary to put this Interim Decision in context.

3. On September 30, 2013, by Decision No. R13-1216-I, the ALJ determined that the Parties in this matter are the Company; Climax Molybdenum Company; the Colorado Office of Consumer Counsel (OCC); and Testimonial Staff of the Commission (Staff).

4. By Decision No. R13-1216-I and as relevant here, the ALJ scheduled a March 3 to March 7, 2014 hearing and established the procedural schedule for this Proceeding.

5. Pursuant to the procedural schedule, Public Service filed its direct testimony and exhibits. Pursuant to the procedural schedule, the OCC filed its answer testimony and exhibits.

6. Pursuant to the procedural schedule, on January 7, 2014, Staff filed the answer testimony and exhibits of Mr. Abel L. Moreno. Mr. Moreno's is the only testimony filed by Staff.

7. Pursuant to the procedural schedule, not later than February 6, 2014, PSCo will file its rebuttal testimony and exhibits and each intervenor will file its cross-answer testimony and exhibits.

8. On January 22, 2014, Staff filed its Third Amended Notice Pursuant to Rule 1007(a). In that filing, as pertinent here, Staff requested that the Commission and the Parties immediately remove Mr. Moreno's name from the list of testimonial Staff. Based on that filing, it appears that Mr. Moreno is no longer available to respond to discovery addressed to his answer testimony and exhibits and that Mr. Moreno may not be available to testify at the scheduled evidentiary hearing.

9. To allow the Parties and the ALJ to understand the level (if any) of Mr. Moreno's continuing involvement in this Proceeding and, in the event Mr. Moreno has no continuing involvement, to know Staff's plan for responding to discovery addressed to Mr. Moreno's prefiled testimony and for presenting Staff's answer testimony during the evidentiary hearing, the ALJ will order Staff to make, not later than **January 29, 2014**, a filing that addresses these issues.¹ If Staff intends to have another member of the testimonial Staff adopt Mr. Moreno's

¹ On January 24, 2014, by electronic mail, the ALJ advised the Parties of this filing requirement.

answer testimony and exhibits, the January 29, 2014 filing must identify the Staff member and must have appended to it a copy of that individual's *curriculum vitae*.

II. ORDER

A. It Is Ordered That:

1. Consistent with the discussion above, not later than January 29 2014, Staff of the Commission shall make a filing that complies with ¶ 9, above.
2. The parties are held to the advisements contained in the Interim Decisions entered in this Proceeding.
3. This Interim Decision is effective immediately.

(S E A L)



ATTEST: A TRUE COPY

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

MANA L. JENNINGS-FADER

Administrative Law Judge