

Decision No. R14-0570-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14F-0404EG

DEVELOPMENT RECOVERY COMPANY LLC ON BEHALF OF RICHMOND
AMERICAN HOMES OF COLORADO, INC.,

COMPLAINANT,

V.

XCEL ENERGY, INC., DOING BUSINESS AS PUBLIC SERVICE COMPANY
OF COLORADO,

RESPONDENT.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
MANA L. JENNINGS-FADER
CHANGING CAPTION OF PROCEEDING
AND VACATING HEARING**

Mailed Date: May 29, 2014

I. STATEMENT

1. On April 24, 2014, Development Recovery Company LLC, on behalf of Richmond American Homes of Colorado, Inc. (DRC), filed with the Commission a formal Complaint against Xcel Energy, Inc., doing business as Public Service Company of Colorado (Public Service). That filing commenced this Proceeding.

2. On May 28, 2014, by Minute Order, the Commission referred this Proceeding to an Administrative Law Judge (ALJ).

3. On May 22, 2014, the Commission issued to Public Service an Order to Satisfy or Answer. That Order states, in relevant part: "You are ordered to satisfy the matters in the

complaint or to answer the complaint in writing within 20 days from service upon you of this Order and copy of the attached complaint.” In accordance with that Order, Public Service is to make its filing no later than June 11, 2014.

4. On May 22, 2014, the Commission issued an Order Setting Hearing and Notice of Hearing. That Order schedules the evidentiary hearing in this matter for July 8, 2014.

5. The ALJ has reviewed the Complaint and finds that the approximately four weeks between June 11, 2014 (assuming an answer is filed on that date) and the scheduled July 8, 2014 hearing date is insufficient time to prepare for hearing in this matter. Accordingly, the ALJ will vacate the July 8, 2014 hearing date. If and when this case is put at issue, the ALJ will issue an Interim Decision that schedules a prehearing conference for the purpose of scheduling the hearing and establishing the procedural schedule.

6. Both Orders issued on May 22, 2014 have the following caption: *In the Matter of Development Recovery Company LLC on Behalf of Richmond American Homes of Colorado, Inc., Complainant, v. Xcel Energy, Inc., D/B/A Public Service Company of Colorado, a Colorado Corporation, Respondent*. This caption is incorrect. The ALJ will order the caption of this Proceeding changed to the caption that is set out above in this Interim Decision and will order the Commission Staff to make the appropriate changes to the Commission’s records. In their filings in this Proceeding, DRC and Public Service will use the caption of this Interim Decision.

II. ORDER

A. It Is Ordered That:

1. The July 8, 2014 evidentiary hearing scheduled in this Proceeding is vacated.
2. The caption of this Proceeding is changed to the caption set out in this Interim Decision.

3. Staff of the Commission shall change Commission records to reflect the caption of this Proceeding as set out above.
4. This Interim Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

MANA L. JENNINGS-FADER

Administrative Law Judge

ATTEST: A TRUE COPY

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

Doug Dean,
Director