

Decision No. R14-0817-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14F-0336EG

DEVELOPMENT RECOVERY COMPANY LLC ON BEHALF OF THE RYLAND GROUP,

COMPLAINANT,

V.

PUBLIC SERVICE COMPANY OF COLORADO,

RESPONDENT.

**INTERIM ORDER OF
ADMINISTRATIVE LAW JUDGE
ROBERT I. GARVEY
SETTING PROCEDURAL SCHEDULE**

Mailed Date: July 14, 2014

I. STATEMENT

1. On April 14, 2014, Development Recovery Company (DRC) LLC on behalf of the Ryland Group (Ryland) filed a Complaint against Public Service Company of Colorado (Public Service or Respondent). That filing commenced this docket.

2. On April 18, 2014 the Public Utilities Commission (PUC) issued an Order to Satisfy and Answer and a hearing was set in this matter for July 1, 2014.

3. On April 23, 2014⁷, by Minute Order, the Commission referred this matter to an Administrative Law Judge (ALJ).

4. On May 2, 2014, Public Service filed its Motion to Dismiss or in the Alternative Motion for More Definite Statement (Motion to Dismiss).

5. On May 14, 2014, DRC filed its Response to Public Service Company of Colorado's Motion to Dismiss or in the Alternative Motion for More Definite Statement (Response).

6. On May 16, 2014, Public Service filed its Motion for Leave to File a Reply and Reply to Development Recovery Company's Response to Motion to Dismiss (Reply).

7. On May 22, 2014, DRC filed its Response to Public Service Company of Colorado's Motion for Leave to File a Reply and Reply to Development Recovery Company's Response to Motion to Dismiss.

8. By Interim Decision R14-0591-I, the Motion to Dismiss was granted in part and denied in part and a prehearing conference was scheduled for July 14, 2014. This decision memorializes the agreements made at the prehearing conference.

9. The parties have agreed upon the following procedural schedule:

Complaint's Direct Testimony & Exhibits	September 2, 2014
Respondent's Answer Testimony & Exhibits.....	October 2, 2014
Complainant's Rebuttal Testimony & Exhibits	October 23, 2014
Corrected Testimony & Exhibits	October 31, 2014
Prehearing Motions	November 3, 2014
Stipulations.....	November 12, 2014
Evidentiary Hearing	November 17, 2014
Statements of Position.....	December 5, 2014

A. Matters Pertaining to Hearing Exhibits.

10. Each type of a witness's testimony and exhibits (*e.g.*, direct, answer, rebuttal, cross-answer) will be onhearing exhibit.

11. Hearing exhibits will be marked numerically and sequentially, beginning with the number 1, irrespective of the sponsoring party. Prefiled testimonies and exhibits will be the first hearing exhibits and will be given hearing exhibit numbers such that all the testimonies and exhibits sponsored by one witness are together. As an example, assume that Complainant witness Smith prefiles direct testimony and rebuttal testimony; the testimonies would be marked as Hearing Exhibits No. 1 (direct) and No. 2 (rebuttal).

12. **The Parties are advised, and are on notice, that** it is the responsibility of each party to be sure that it has a sufficient number of copies of each document that it wishes to offer as an exhibit at the evidentiary hearing. *With respect to prefiled testimony and exhibits*, this means that, at the hearing, a party must provide a copy to be marked as an exhibit and retained by the Commission. This is a requirement even though the testimony and exhibit are prefiled. *With respect to documents other than prefiled testimony and exhibits*, this means that, at the hearing, a party must have at least the number of copies sufficient: (a) to have one to be marked and retained by the Commission as the hearing exhibit; (b) to provide a copy to each of the other parties; (c) to provide one to the ALJ; and (d) to retain a copy. **The Commission will *not* make copies of documents that are offered as exhibit.**

II. ORDER

A. **It Is Ordered That:**

1. A evidentiary hearing in this matter is scheduled as follows:

DATE: November 17, 2014

TIME: 9:00 a.m.

PLACE: Commission Hearing Room
1560 Broadway, Suite 250
Denver, Colorado

2. The procedural schedule as stated in ¶ 9 above, is adopted

3. This Interim Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ROBERT I. GARVEY

Administrative Law Judge

ATTEST: A TRUE COPY

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

Doug Dean,
Director