

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 19AL-0309G

IN THE MATTER OF ADVICE LETTER NO. 949-GAS FILED BY PUBLIC SERVICE COMPANY OF COLORADO TO REQUEST APPROVAL TO ELIMINATE THE CURRENTLY EFFECTIVE 24.19 PERCENT GENERAL RATE SCHEDULE ADJUSTMENT (“GRSA”) AND PLACE INTO EFFECT REVISED BASE RATES FOR ALL GAS RATE SCHEDULES THAT WILL REPLACE AND SUPERSEDE THE CURRENTLY EFFECTIVE BASE RATES TO BECOME EFFECTIVE JULY 1, 2019.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
STEVEN H. DENMAN
ADDRESSING BLACK HILLS’
INTERVENTION AND SETTING
RESPONSE TIMES TO MOTIONS**

Mailed Date: July 23, 2019

I. STATEMENT

1. On May 31, 2019, Public Service Company of Colorado (Public Service or the Company) filed with the Colorado Public Utilities Commission (Commission), Advice Letter No. 949-Gas, accompanying tariff sheets, and supporting testimony and attachments. The proposed effective date on the filed tariffs was July 1, 2019. The Company also requested that the Commission set a hearing on the proposed rates and tariff changes and thereby suspend the effective date of the proposed tariffs. This filing commenced Public Service’s 2019 Gas Phase II rate case.

2. By Decision No. C19-0541 (mailed on June 20, 2019), pursuant to § 40-6-111(1), C.R.S. (2019), the Commission set for hearing the tariffs filed with Advice Letter No. 949-Gas and thereby suspended their effective date for 120 days from the proposed effective

date, or until October 29, 2019. The Decision also referred the matter to an Administrative Law Judge (ALJ) to set hearing dates, to rule on interventions, and to establish other procedures by separate decisions. Subsequently, the undersigned ALJ was assigned to preside over this Proceeding.

3. The procedural history of the above-captioned proceeding is set forth in Decisions previously issued in this Proceeding and is repeated here as necessary to put this Decision into context.

4. Pursuant to § 40-6-111(1)(b), C.R.S. (2019), Decision No. R19-0622-I (mailed on July 22, 2019), the ALJ suspended the effective date of the tariff sheets filed with Advice Letter No. 949-Gas for an additional 130 days, or until March 7, 2020.

5. Decision No. R19-0622-I acknowledged the interventions as of right filed by the Colorado Office of Consumer Counsel on July 1, 2019, and by Trial Staff of the Colorado Public Utilities Commission on July 9, 2019. Decision No. R19-0622-I also granted the Motion to Intervene (as a permissive intervenor) filed by Energy Outreach Colorado (EOC) on July 5, 2019.

6. Decision No. R19-0622-I noted motions for permissive intervention filed by Atmos Energy Corporation (Atmos) on July 11, 2019; WoodRiver Energy, LLC (WoodRiver) on July 16, 2019; Colorado Natural Gas (CNG) on July 19, 2019; Tiger Natural Gas, Inc. (Tiger) on July 19, 2019; and Climax Molybdenum Company (Climax) on July 19, 2019. Pursuant to Rule 1400(b) of the Rules of Practice and Procedure, 4 *Code of Colorado Regulations* (CCR) 723-1, Decision No. R19-0622-I shortened to Monday July 29, 2019, the time for filing

responses to the motions for permissive intervention filed by the following interested persons: WoodRiver, CNG, Tiger, and Climax.¹

7. On July 18, 2019, Black Hills Colorado Gas, Inc. (Black Hills), through counsel, filed a Motion to Permissively Intervene (Black Hills' Intervention). Black Hills is a gas transportation customer of Public Service. Black Hills' Intervention was served on counsel for Public Service through the Commission's E-Filing System.² Pursuant to Rule 1400(b), 4 CCR 723-1, Public Service's response to Black Hills' Intervention would be due on or before August 1, 2019.

8. Consistent with the Order in Decision No. R19-0622-I, the ALJ will shorten to Monday July 29, 2019, the time for filing responses to Black Hills' Intervention.

9. Decision No. R19-0622-I also discussed the Motion for a Protective Order Affording Extraordinary Protection for Highly Confidential Customer Information (Motion for Protective Order) filed by Public Service on May 31, 2019. Decision No. R19-0622-I extended the time for EOC and the putative permissive intervenors (*i.e.*, Atmos, WoodRiver, CNG, Tiger, and Climax) to file responses to the Motion for Protective Order to no later than 5:00 p.m. on Friday, July 26, 2019.

10. The time for Black Hills to file a response to the Motion for Protective Order will also be extended to **no later than 5:00 p.m. on Friday, July 26, 2019.**

11. Finally, Decision No. R19-0622-I scheduled a prehearing conference in this Proceeding for August 1, 2019 at 1:30 p.m., directed Public Service and the Parties, and

¹ Decision No. R19-0622-I, ¶ 24 at page 9, observed that, pursuant to Rule 1400(b), 4 CCR 723-1, Public Service's response to Atmos' motions for permissive intervention is due on or before July 25, 2019.

² Black Hills' Intervention, Certificate of Service at page 5.

interested persons that had filed intervention pleadings, to negotiate a consensus procedural schedule, and gave them certain advisements. The directions and advisements set forth in Decision No. R19-0622-I will apply equally to Black Hills.

II. ORDER

A. It Is Ordered That:

1. Pursuant to Rule 1400(b) of the Rules of Practice and Procedure, 4 *Code of Colorado Regulations* (CCR) 723-1, the time to file a response to the Motion to Permissively Intervene filed on July 18, 2019, by Black Hills Colorado Gas, Inc. (Black Hills) is shortened to no later than 5:00 p.m., Monday July 29, 2019.

2. Pursuant to Rule 1400(b) of the Rules of Practice and Procedure, 4 CCR 723-1, Black Hills shall have until no later than 5:00 p.m. on Friday, July 26, 2019, within which to file a response, if it wishes, to the Motion for a Protective Order Affording Extraordinary Protection for Highly Confidential Customer Information, filed by Public Service Company of Colorado on May 31, 2019.

3. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

STEVEN H. DENMAN

Administrative Law Judge

ATTEST: A TRUE COPY

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

Doug Dean,
Director