

Decision No. R20-0463-I

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

PROCEEDING NO. 20AL-0049G

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IN THE MATTER OF ADVICE LETTER NO. 961 FILED BY PUBLIC SERVICE COMPANY OF COLORADO TO INCREASE RATES FOR ALL NATURAL GAS SALES AND TRANSPORTATION SERVICES TO BECOME EFFECTIVE MARCH 7, 2020.

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**INTERIM DECISION OF  
ADMINISTRATIVE LAW JUDGE  
STEVEN H. DENMAN  
CONVERTING IN-PERSON EVIDENTIARY  
HEARING TO REMOTE VIDEO HEARING  
AND INSTRUCTIONS FOR PARTICIPATION**

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Mailed Date: June 24, 2020

**I. STATEMENT**

1. This Interim Decision converts the in-person evidentiary hearing in this proceeding into a remote hearing using the video platform GoToMeeting, consistent with the discussion below.

**A. Procedural History.**

2. On February 5, 2020, Public Service Company of Colorado (Public Service) filed with the Colorado Public Utilities Commission (Commission), Advice Letter No. 961-Gas, accompanying tariff sheets, and supporting direct testimony and attachments. This filing is a combined Phase I and Phase II natural gas rate proceeding.

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

4. The effective date of the tariff sheets filed with Advice Letter No. 961-Gas has been suspended for a total of 250 days until November 12, 2020, pursuant to § 40-6-111(1)(b), C.R.S. (2019).<sup>1</sup>

5. Notices of interventions by right were acknowledged for Trial Staff of the Colorado Public Utilities Commission (Staff) filed on February 28, 2020 (by Decision No. R20-0145-I, mailed on March 5, 2020); the Colorado Office of Consumer Counsel (OCC) filed on March 9, 2020 (by Decision No. R20-0179-I, mailed on March 17, 2020); and the Colorado Energy Office (CEO) filed on March 23, 2020 (by Decision No. R20-0208-I, mailed on April 1, 2020).

6. Decision No. R20-0208-I granted motions for permissive intervention filed on March 6, 2020 by Atmos Energy Corporation (Atmos); on March 11, 2020 by the Federal Executive Agencies (FEA); on March 16, 2020 by Energy Outreach Colorado (EOC); on March 18, 2020 by Black Hills Colorado Gas, Inc., doing business as Black Hills Energy (BH Colorado Gas); on March 20, 2020 by WoodRiver Energy, LLC (WoodRiver); on March 23, 2020, by Colorado Natural Gas, Inc. (CNG); and on March 23, 2020 by Climax Molybdenum Company (Climax). Decision No. R20-0278-I (mailed on April 22, 2020) granted permissive interventions to the International Brotherhood of Electrical Workers, Local 111 (Local 111) and AARP.

7. The Parties to this Proceeding are Public Service, Staff, OCC, CEO, Atmos, EOC, FEA, BH Colorado Gas, WoodRiver, CNG, Climax, Local 111, and AARP.

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<sup>1</sup> See Decision No. C20-0112 (mailed on February 20, 2020) and Decision No. R20-0145-I (mailed on March 5, 2020).

8. Decision No. R20-0223-I (mailed on April 6, 2020) *inter alia* adopted a procedural schedule with certain filing dates and set an in-person evidentiary hearing for July 7 through 10 and 13 through 17, 2020 in a Commission Hearing Room.

9. Decision No. R20-0345-I (mailed on May 6, 2020) established procedures for the presentation of evidence at the evidentiary hearing through electronic exhibits to the fullest extent possible, with the exception of exhibits used for impeachment or rebuttal,<sup>2</sup> or any other exhibits to be admitted during the hearing.

10. The Parties filed extensive answer testimony on May 13, 2020 and rebuttal testimony on June 8, 2020, which were the deadlines established in Decision No. R20-0223-I.

**B. Remote Video Hearing.**

11. Decision No. R20-0345-I also advised counsel and the Parties that it was possible that the evidentiary hearing may be held as a remote hearing via a video conference platform, depending on the continuing responses of Colorado Governor Jared Polis and other agencies of Colorado state government to the continuing novel coronavirus (COVID-19) pandemic.

12. Pursuant to Executive Orders issued by Governor Polis and the emergency remote-workforce plan issued by the Department of Regulatory Agencies (DORA) in response to the COVID-19) pandemic, Commission personnel are required to work remotely and cannot return to the Commission's offices and hearing rooms until at least September 7, 2020. DORA's emergency remote-workforce plan may be extended beyond that date. The building in which the DORA and Commission offices are located remains closed to the public.

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<sup>2</sup> Since rebuttal testimony and attachments were filed by Public Service on June 8, 2020, pursuant to Decision No. R20-0223-I, the use of the word "rebuttal" in the phrase "with the exception of exhibits used for impeachment or rebuttal" in Decision No. R20-0345-I was superfluous. This phrase should have stated "with the exception of exhibits used for impeachment or redirect," which is procedurally correct in this Proceeding.

13. Under these circumstances, the in-person hearing scheduled for July 7 through 10 and 13 through 17, 2020 shall be converted into a remote hearing in which the participants will appear from remote locations, as provided below. The Administrative Law Judge (ALJ) finds that holding a remote hearing is consistent with current public health advisories to prevent the spread of COVID-19. The ALJ concludes that it is in the parties' and the public interest to hold the hearing in this proceeding as a remote hearing.

14. The Commission uses the web-hosted video conferencing service GoToMeeting to hold remote video hearings. **Attachment A** to this Decision provides the requirements and information addressing how to use the GoToMeeting platform to participate in the remote hearing.

15. Counsel and Parties must follow the procedures for exhibits contained in **Attachment B** to this Decision.

**II. ORDER**

**A. It Is Ordered That:**

1. The in-person evidentiary hearing in this Proceeding is converted to a remote video hearing, as follows:

- DATE: July 7 through 10 and 13 through 17, 2020
- TIME: 9:00 a.m. (Hearings on July 8 and 15, 2020 will start at 10:30 a.m.)
- FOR WEBCASTS: Hearing Room A
- METHOD: Join by video conference at the link to be provided by the email from the Administrative Law Judge, **OR**

Join by telephone: Dial the telephone number provided in the email, and when prompted, enter the PIN (or Meeting ID) in the email.

2. Counsel and Parties shall follow the procedures for exhibits contained in **Attachment B** to this Decision.

3. This Interim 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