

Decision No. C14-0115-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 13A-0836E

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF
COLORADO FOR APPROVAL OF ITS 2014 RENEWABLE ENERGY STANDARD
COMPLIANCE PLAN.

**INTERIM DECISION VACATING FILING
DEADLINE, VACATING PRE-HEARING
CONFERENCE, VACATING EVIDENTIARY HEARING,
AND ASSIGNING PUBLIC COMMENT HEARING
TO AN ADMINISTRATIVE LAW JUDGE**

Mailed Date: January 29, 2014
Adopted Date: January 29, 2014

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of whether to modify certain aspects of the procedural schedule established by Administrative Law Judge (ALJ) G. Harris Adams.

2. On July 24, 2013, Public Service Company of Colorado (Public Service) filed its Application for Approval of its 2014 Renewable Energy Standard Compliance Plan (Application). Among many other provisions, Public Service proposes to identify and quantify net metering as an incentive to customers who install solar photovoltaic systems. Public Service also indicates that through this proposal it seeks to engage in a dialogue about the equity of what it terms the net metering incentive.

3. By Decision No. R13-1225-I, issued on October 1, 2013, the ALJ scheduled an evidentiary hearing in this matter for February 3 through 7, 2014, and required all corrections to any pre-filed testimony and other pre-filed hearing exhibits to be filed on or before January 28, 2014.

4. By Decision No R13-1517-I, issued on December 10, 2013, the ALJ scheduled a hearing to accept public comment in this matter.

5. On January 21, 2014, the Colorado Energy Office (CEO) filed a Motion to Sever Issues Related to Net Metering (Motion) to a new proceeding. The CEO requested that the Commission, *en banc*, rule on the merits of the Motion although the matter had been referred to the ALJ by Decision No. C13-1102-I, issued on September 6, 2013.

6. By Decision No. R14-0082-I, issued on January 22, 2014, the ALJ shortened response time to the Motion.

7. By Decision No. R14-0083-I, issued on January 22, 2014, the ALJ scheduled a prehearing conference.

8. Responses to the Motion were timely filed on January 28, 2014 by: Public Service; the Colorado Office of Consumer Counsel; City of Boulder; Sunshare LLC; the Solar Energy Industries Association; Western Resource Advocates; and the Vote Solar Initiative, the Colorado Solar Energy Industries Association, and the Alliance for Solar Choice, jointly.

9. We began our discussions on the Motion at our weekly meeting on January 29, 2014. Given the complexity of the decision, we determined to continue our deliberations at a future Commissioners' Weekly Meeting when we will adopt, in full, a decision on the merits of the Motion. We also concluded that the issuance of a written decision on the merits of the Motion was required before evidentiary hearings in the matter are conducted.

10. Based on the foregoing, we vacate the pre-hearing conference scheduled on January 29, 2014 and the hearings scheduled for February 3 through 7, 2014. We also vacate the deadline for filing corrections to pre-filed testimony and hearing exhibits.

11. With respect to the public comment hearing scheduled on February 3, 2014, we note that the Commission has received several hundred public comments in response to Public Service's Application. The Commission also issued a press release announcing the public comment hearing on January 22, 2014. We therefore find good cause to conduct the public comment hearing as scheduled before an ALJ. The Commission will receive comments from the public regarding any aspect of the Application as filed by Public Service.

II. ORDER

A. It Is Ordered That:

1. The deadline of January 28, 2014 for filing corrections to pre-filed testimony and other pre-filed hearing exhibits is vacated.
2. The prehearing conference scheduled on January 29, 2014 is vacated.
3. The evidentiary hearing scheduled for February 3 through 7, 2014 is vacated.
4. A hearing to accept public comments shall be conducted before an Administrative

Law Judge (ALJ) as follows:

DATE: February 3, 2014
TIME: 4:30 p.m. until no later than 7:30 p.m.
PLACE: Commission Hearing Room
1560 Broadway, Suite 250
Denver, Colorado

5. The comment hearing will end no later than 7:30 p.m. The time available for comment will be managed and allocated by the undersigned ALJ based upon the number of persons interested in commenting.

6. If a person does not wish to attend the public hearing, but wishes to file comments not previously filed, the person may send comments electronically to:

dora_puc_complaints@state.co.us

or through the Commission’s website at:

<http://cdn.colorado.gov/cs/Satellite/DORA-PUC/CBON/DORA/1251629605869>

Comments can also be mailed to: the Public Utilities Commission, 1560 Broadway, Suite 250, Denver, Colorado 80202.

7. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS’ WEEKLY MEETING
January 29, 2014.**

(S E A L)



ATTEST: A TRUE COPY

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JOSHUA B. EPEL

PAMELA J. PATTON

GLENN A. VAAD

Commissioners