

Decision No. R14-0892-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14A-0580E

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR AN ORDER APPROVING REGULATORY TREATMENT OF MARGINS EARNED FROM CERTAIN TYPES OF RENEWABLE ENERGY CREDIT AND ENERGY TRANSACTIONS.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
MANA L. JENNINGS-FADER
VACATING PREHEARING CONFERENCE
AND REQUIRING FILING**

Mailed Date: July 25, 2014

I. STATEMENT

1. On May 30, 2014, Public Service Company of Colorado (Public Service) filed a Verified Application (Application) that seeks Commission approval of Public Service's requested regulatory treatment for the margins that the Public Service expects to earn in connection with certain types of transactions involving the sale of Renewable Energy Credits. That filing commenced this Proceeding.

2. On June 3, 2014, the Commission issued its Notice of Application Filed. The following intervened as of right or were granted permission to intervene: Colorado Office of Consumer Counsel (OCC); Trial Staff of the Commission (Staff); and Western Resource Advocates (WRA).

3. OCC, Staff, and WRA, collectively, are the Intervenors. Public Service and the Intervenors, collectively, are the Parties.

4. On July 9, 2014, by Minute Order, the Commission referred this matter to an Administrative Law Judge (ALJ).

5. On July 9, 2014, by Minute Order, the Commission deemed the Application complete as of that date. On July 15, 2014, by Decision No. R14-0827-I, the ALJ extended the time for issuance of a Commission Decision in this matter. Absent a further enlargement of time by the Commission or Public Service's waiver of § 40-6-109.5, C.R.S., a Commission decision on the Application should issue not later than March 4, 2015.

6. By Decision No. R14-0827-I, the ALJ scheduled a July 28, 2014 prehearing conference in this matter.

7. On July 25, 2014, Public Service informed the ALJ that the Parties have reached an agreement in principle that appears to settle all issues in this Proceeding. Public Service states that the Parties need time to reduce their agreement to writing and asks that the ALJ allow 30 days for the Parties to file a settlement agreement. In view of the settlement in principle, Public Service asks the ALJ to vacate the July 28, 2014 prehearing conference. All Parties concur with Public Service's requests.

8. The ALJ will grant the request to vacate the prehearing conference; will vacate the prehearing conference; and will order the Parties to file, not later than **September 5, 2014**, *either* a settlement agreement *or* a proposed procedural schedule that addresses the issues identified in Decision No. R14-0827-I at ¶¶ 15-20.

9. **The Parties are advised, and are on notice, that**, if an evidentiary hearing is required and if the hearing cannot be concluded by December 12, 2014, it will be necessary to extend the time for Commission decision in this matter. The ALJ will address this issue, if necessary, in a subsequent Interim Decision.

II. ORDER

A. It Is Ordered That:

1. The prehearing conference scheduled for July 28, 2014 is vacated.
2. Not later than September 5, 2014, the Parties shall file either a settlement agreement or a proposed procedural schedule that addresses the issues identified in Decision No. R14-0827-I at ¶¶ 15-20.
3. The Parties are held to the advisements in the Interim Decisions issued in this Proceeding.
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