

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 18A-0606EG

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR APPROVAL OF ITS ELECTRIC AND NATURAL GAS DEMAND-SIDE MANAGEMENT (DSM) PLAN FOR CALENDAR YEARS 2019 AND 2020.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
ROBERT I. GARVEY
GRANTING UNOPPOSED MOTION
TO AMEND PROCEDURAL SCHEDULE**

Mailed Date: January 22, 2019

I. STATEMENT

1. On August 31, 2018, Public Service Company of Colorado (Public Service or Company) filed an Application seeking Commission approval of proposals contained in their 2019/2020 Demand-Side Management (DSM) Plan application. The Application was accompanied by pre-filed Direct Testimony and Attachments.

2. On September 4, 2018, the Commission issued a Notice of Application Filed establishing an intervention period lasting 30 days.

3. On September 10, 2018, Public Service filed a Motion for Extraordinary Protection of Highly Confidential Information.

4. On September 13, 2018, the Colorado Energy Consumers (CEC) filed its Petition to Intervene. The CEC states that it is an unincorporated association of corporations duly authorized and in good standing to transact business within Colorado. The CEC states that the application will substantially affect its pecuniary or tangible interests.

5. On September 17, 2018, the Colorado Office of Consumer Counsel (OCC) filed its Intervention, Entry of Appearance and Request for Hearing. The OCC states that it requests a hearing to determine if the 2019/2020 DSM Plan is just and reasonable and numerous other issues.

6. On September 28, 2018, the Southwest Energy Efficiency Project (SWEEP) filed its Motion to Intervene and Entry of Appearance. SWEEP is a regional non-profit interest group working to advance energy efficiency through advocacy, analysis, and education, including through partnerships with businesses, state and local governments, and other public interest groups. SWEEP states it has a direct and tangible interest in this proceeding. SWEEP will review Public Service's 2019-2020 DSM Plan to ensure the proposed incentives, rebates, and outreach strategies for each product are well designed and will maximize energy savings and the Company's DSM budget.

7. On October 1, 2018, Staff of the Colorado Public Utilities Commission (Staff) filed its notice of intervention by right. Staff states that it is concerned with a number of issues contained within Public Service's 2019/2020 DSM Plan.

8. On October 3, 2018, the Colorado Energy Office (CEO) filed its Motion to Intervene by Right. The CEO states that Public Service's 2019/2020 DSM Plan will impact the adoption of energy efficiency technologies and practices in the State of Colorado, which the CEO is statutorily charged to promote.

9. On October 3, 2018, the Energy Efficiency Business Coalition (EEBC) filed its Motion to Intervene. The EEBC is a Colorado non-profit corporation trade association. The EEBC states that it has a substantial pecuniary or tangible interest that may be affected by Public Service's 2019/2020 DSM Plan.

10. On October 3, 2018, Energy Outreach Colorado (EOC) filed its Motion to Intervene. The EOC is a Colorado non-profit corporation. The EOC states that it has a substantial pecuniary or tangible interest that may be affected by Public Service's 2019/2020 DSM Plan

11. On October 4, 2018, Western Resource Advocates (WRA) filed their Petition for Leave to Intervene. WRA is a non-profit conservation organization dedicated to protecting the land, air, and water of the West. WRA is concerned with the geographic targeting and the utilization of batteries for residential demand response contained in Public Service's 2019/2020 DSM Plan.

12. On October 4, 2018, the Colorado Solar Energy Industries Association (COSEIA) filed its Petition for Leave to Intervene. COSEIA is a non-profit trade association which serves energy professionals, solar companies, and renewable energy users. COSEIA lists many areas which Public Service's 2019/2020 DSM Plan will affect its association.

13. On October 8, 2018, Climax Molybdenum Company (Climax) filed its Motion to Intervene and Motion to Accept Pleading for Late Filing. Climax states it operates the Climax and Henderson molybdenum mines and is a large retail electric customer and is interested in the issues that will be addressed in this proceeding because these issues may substantially affect their pecuniary and tangible interests. Public Service does not object to the late filing of the intervention.

14. On October 10, 2018, the Commission deemed the Application complete and referred this matter with its permissive interventions to an Administrative Law Judge (ALJ).

15. On October 23, 2018, by Decision No. R18-0936-I, the undersigned ALJ found good cause to allow the interventions of the CEC, SWEEP, WRA, COSEIA, Climax, EEBC, and EOC. This Decision also set a prehearing conference for November 8, 2018.

16. On November 5, 2018, Public Service filed its Unopposed Filing Regarding Proposed Procedural Schedule and Unopposed Motion to Vacate the Prehearing Conference and for Waiver of Response Time (Motion). In the Motion the parties stated that they have agreed to a procedural schedule and request the prehearing conference be vacated.

17. On November 7, 2018, by Decision No. R18-0991-I, the Motion was granted and the proposed procedural schedule was adopted.

18. On December 6, 2018, Public Service filed its Unopposed Motion for Leave to Amend the Application and File Supplemental Direct Testimony, Amend Procedural Schedule and Discovery Response Times, and Request for Waiver of Response Time (Motion to Amend).

19. On December 11, 2018, by Decision No. R18-1114-I, the Motion to Amend was granted.

20. On December 31, 2018, Public Service filed its Unopposed Motion for Variance and Request for Extension to File its Amended Application in this Proceeding and Waiver of Response Time (Unopposed Motion).

21. On January 3, 2019, by Decision No, R19-0006-I, the Unopposed Motion was granted.

22. On January 17, 2018, Public Service filed its Unopposed Motion to Amend the Procedural Schedule and Request for Waiver of Response Time (Unopposed Motion to Amend).

23. In the Unopposed Motion to Amend, Public Service requests that the procedural schedule be amended to allow for Answer Testimony to be filed on January 18, 2019. Public Service states that the parties are involved in settlement discussions and allowing this deadline to be extended will allow for additional time to reach a settlement. No party objects to the requested relief.

24. Good cause is found to grant the Unopposed Motion to Amend.

II. ORDER

A. It Is Ordered That:

1. The Unopposed Motion to Amend the Procedural Schedule (Unopposed Motion) filed on January 17, 2019, by Public Service Company of Colorado, is granted.

2. The deadline to file Answer Testimony shall be amended to on or before January 18, 2019.

3. Response time to the Unopposed Motion is waived

4. The Parties shall be held to the advisements in this Decision.

5. This 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