

Decision No. C21-0299-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 21A-0071G

IN THE MATTER OF THE VERIFIED APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR APPROVAL TO EXTEND THE COMPANY'S PIPELINE SYSTEM INTEGRITY ADJUSTMENT (PSIA) RIDER FOR CERTAIN PROJECTS THROUGH 2024, WITH SUBSEQUENT WIND-DOWN OF THE RIDER.

**INTERIM DECISION ADOPTING PROPOSED
PROCEDURAL SCHEDULE, ADOPTING PROCEDURES
FOR DISCOVERY AND CONFIDENTIAL INFORMATION,
AND VACATING THE PREHEARING CONFERENCE**

Mailed Date: May 17, 2021

Adopted Date: May 12, 2021

I. BY THE COMMISSION

A. Statement

1. On May 7, 2021, Public Service Company of Colorado (Public Service or the Company), Staff of the Colorado Public Utilities Commission, the Colorado Office of Consumer Counsel, and the Colorado Energy Office (together, the Joint Movants) filed an Unopposed Joint Motion to adopt a procedural schedule, adopt procedures for discovery and confidential information, vacate the prehearing conference, and waive response time (Joint Motion).

2. By this Decision, we adopt the procedural schedule proposed in the Joint Motion, adopt the proposed procedures for discovery and confidential information, and vacate the prehearing conference scheduled to be held on May 12, 2021.

B. Discussion

3. On February 9, 2021, Public Service filed an Application to extend its Pipeline System Integrity Adjustment (PSIA), a volumetric rider applied to customers of the Company's gas division, through 2024.

4. In Decision No. C21-0271-I, mailed May 4, 2021, the Commission set the matter for hearing *en banc*, scheduled a prehearing conference to be held on May 12, 2021, required the Company to confer with the parties and file a proposed procedural schedule prior to the prehearing conference, and “[i]n the interests of procedural efficiency and to create a complete and useful record,”¹ required the Company to file Supplemental Direct Testimony in response to seven prompts for elaboration on the PSIA Application.

5. On May 7, 2021, the Joint Movants timely filed the following proposed procedural schedule:²

Joint Proposed Procedural Schedule

Procedural Activity	Date
Supplemental Direct Testimony	June 2, 2021
Answer Testimony	July 13, 2021
Rebuttal and Cross-Answer Testimony	August 16, 2021
Prehearing Motions	August 31, 2021
Corrections to Pre-filed Testimony and Attachments	August 31, 2021
Settlement Agreements	September 2, 2021
Matrix of Witness Appearances and Cross-Examination Times	September 7, 2021 ³
Evidentiary Hearing (Hearing must conclude by September 17, 2021 for a final decision to be issued on or around November 1, 2021, per Decision No. C1-0271-I)	September 13, 14, 15, 2021
Statements of Position	October 6, 2021
Commission Decision Issued	On or around November 1, 2021

6. The Joint Movants state a final prehearing conference is not necessary and that logistical matters normally handled on such occasions can be addressed on the first day of

¹ C21-0271-I at pp. 5-6.

² See Joint Motion at 3.

³ Adjusted from September 6, 2021, to account for the Labor Day holiday

hearing. The Joint Movants also defer to the Commission the dates for public comment hearings, whether virtual or in-person.

7. The Joint Movants also agree to certain modifications to discovery timelines and procedures set forth in Rules 1405(b) and 1405(d) of the Commission's Rules of Practice and Procedure, 4 *Code of Colorado Regulations* 723-1, including: discovery requests and responses will be served electronically; discovery responses shall be served in a single document per discovery set if available when due; receipt of confidential and highly confidential documents and discovery response will require signing a non-disclosure agreement; and any workpapers supporting Supplemental Direct, Answer, Rebuttal, or Cross-Answer Testimony are to be provided within three business days of the respective filing.

8. The Joint Movants request the Commission approve the proposed procedural schedule and vacate the prehearing conference scheduled for May 12, 2021. The Joint Movants also request, given the Joint Motion is unopposed, that the Commission waive response time to the Joint Motion.

C. Findings and Conclusions

9. We find the proposed procedural schedule to be reasonable with one clarification: because the Commission is closed on September 6, 2021 in observance of the Labor Day holiday, the Matrix of Witness Appearances and Cross-Examination Times shall be filed on the following day.

10. We adopt the proposed procedural schedule and the proposed procedures for discovery and treatment of confidential information as set forth in the Joint Motion.

11. Because we adopt a procedural schedule by this Decision, we also find it reasonable to vacate the prehearing conference scheduled for May 12, 2021.

12. The evidentiary hearings will be held using the web-hosted video conferencing service Zoom unless subsequently modified. To minimize the potential that the video conference may be disrupted by non-participants, the link and meeting ID or access code will be provided to the parties by e-mail before the prehearing conference, and the parties will be prohibited from distributing that information to anyone not participating in the prehearing conference.

13. Information and directions on using Zoom to attend the remote prehearing conference is provided in Attachment A to this Decision. The Commission strongly encourages the parties to test their ability to use Zoom before the scheduled start time.

II. ORDER

A. It Is Ordered That:

1. The Unopposed Joint Motion to adopt a procedural schedule, adopt procedures for discovery and confidential information, vacate the prehearing conference, and waive response time (Joint Motion) filed by Public Service Company of Colorado, Staff of the Colorado Public Utilities Commission, the Colorado Office of Consumer Counsel, and the Colorado Energy Office on May 7, 2021 is granted. Response time to the Joint Motion is waived.

2. The procedural schedule and the procedures for discovery and confidential information as set forth in the Joint Motion is adopted, consistent with the discussion above.

3. The prehearing conference scheduled for May 12, 2021 is vacated.

4. An evidentiary hearing in this matter is scheduled as follows:

DATES: September 13, 14, and 15, 2021

TIMES: 9:00 a.m. through 5:00 p.m. (September 13 and 14, 2021); and
1:00 p.m. through 5:00 p.m. (September 15, 2021)

PLACE: By video conference using Zoom at a link to be provided to parties by email.

5. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
May 12, 2021.**

(S E A L)



ATTEST: A TRUE COPY

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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JOHN GAVAN

MEGAN M. GILMAN

Commissioners