

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

PROCEEDING NO. 21A-0072SG

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IN THE MATTER OF THE APPLICATION OF COLORADO NATURAL GAS, INC. FOR AN ORDER AUTHORIZING A STOCK PLEDGE AND DEBT REFINANCE PURSUANT TO SECTION 40-1-104 C.R.S. AND SECTION 40-5-105 C.R.S.

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**INTERIM DECISION OF  
ADMINISTRATIVE LAW JUDGE  
CONOR F. FARLEY  
ADOPTING PROCEDURAL SCHEDULE, VACATING  
REMOTE PREHEARING CONFERENCE, SCHEDULING  
REMOTE EVIDENTIARY HEARING, AND PROVIDING  
INSTRUCTIONS CONCERNING EXHIBITS AND FOR  
PARTICIPATING IN REMOTE HEARING**

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Mailed Date: March 16, 2021

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**I. STATEMENT**

**A. Background**

1. A more comprehensive recitation of the background of this proceeding is included in Decision No. R21-0106-I that issued on March 10, 2021. The facts relevant to this decision are stated below.

2. On February 9, 2021, Colorado Natural Gas, Inc. (CNG) filed an Application requesting authorization for its parent company, Summit LDC Holdings, LLC, to refinance and restructure three credit facilities, pursuant to §§ 40-1-104, and 40-5-105, C.R.S, and Rules 4002, 4104, and 4105 of the Gas Rules, 4 CCR 723-4 (Application).

3. On March 3, 2021, the Commission issued Decision No. C21-0122-I that deemed the Application incomplete, vacated the hearing scheduled for March 4, 2021, and extended the deadline for a decision in this proceeding pursuant to Rule 4105(g) of the Commission’s Rules Regulating Gas Utilities and Pipeline Operators<sup>1</sup> and § 40-1-104(5), C.R.S., and referred the proceeding to an Administrative Law Judge (ALJ).

4. On March 4, 2021, the ALJ issued Decision No. R21-0127-I that scheduled a remote prehearing conference for March 17, 2021, and ordered the parties to confer regarding a procedural schedule and CNG to file a report of the parties’ conferral by March 12, 2021.

5. On March 10, 2021, CNG filed the report of the conferral by the parties, which resulted in a proposed schedule agreed to by the parties (Consensus Schedule).

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<sup>1</sup> 4 Code of Colorado Regulations (CCR) 723-4.

**B. Pre- and Post-Hearing Schedule**

6. The Consensus Schedule of the parties is acceptable with the addition of a deadline for responses to prehearing motions and for a witness cross-examination matrix. The modified Consensus Schedule is as follows:

<u>Event:</u>	<u>Date/Deadline:</u>
Direct Testimony	March 26, 2021
Answer Testimony	April 23, 2021
Rebuttal/Cross-Answer Testimony	May 7, 2021
Prehearing Motions Corrections to Testimony Settlement Agreements	May 13, 2021
Responses to Prehearing Motions Witness Cross-Examination Matrix	May 17, 2021 (noon)
Evidentiary Hearing	May 18, 2021
Statements of Position	May 28, 2021

7. The schedule proposed by the parties, with the addition noted above, shall be adopted. In addition, the modifications to Rule 1405, 4 CCR 723-1, proposed by the parties for the purpose of this proceeding are adopted.

**C. Remote Hearing**

8. As agreed to by the parties, the evidentiary hearing shall be scheduled for May 18, 2021. The hearing shall be held remotely, meaning that the participants will appear from remote locations, as provided below. Since early March 2020, Colorado State government and the Commission have been working diligently to address how to safely and effectively manage the challenges presented by the novel coronavirus pandemic (COVID-19). These efforts have focused on limiting the disruption to the services delivered by the Commission (and other State agencies), while attempting to mitigate the risks to State employees and the public. For example, the

Commission has been conducting its Weekly Meetings remotely, and the Commission has asked members of the public not to attend meetings in person, but to view them by webcast. Under these circumstances, the 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.

**D. Remote Prehearing Conference**

9. The remote prehearing conference scheduled for March 17, 2021, will be vacated in light of the adoption of the Consensus Schedule.

**E. Instructions for Participating in the Remote Hearing**

10. Attachment A to this Decision provides the information addressing how to use the Zoom platform for participating in the remote hearing.

**F. Instructions for Presenting Exhibits Electronically at the Remote Hearing**

11. Attachment B to this Decision provides instructions for the presentation of exhibits electronically during the evidentiary hearing.

**II. ORDER**

**A. It Is Ordered That:**

1. The pre-hearing and post-hearing schedule stated in paragraph 6 above is adopted.
2. The remote prehearing conference scheduled for March 17, 2021 is vacated.
3. A remote evidentiary hearing in this proceeding is scheduled as follows:

DATES: May 18, 2021

TIME: 9:00 a.m. to 4:30 p.m.

FOR WEBCASTS: Hearing Room A

METHOD: Join by video conference at the link to be provided by an email from the Administrative Law Judge

4. Nobody should attend the remote hearing in-person.
5. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

CONOR F. FARLEY

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Administrative Law Judge

ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads 'Doug Dean'.

Doug Dean,  
Director