

Decision No. C24-0874-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 24A-0500G

IN THE MATTER OF THE APPLICATION OF COLORADO NATURAL GAS, INC. FOR APPROVAL OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR A DISTRIBUTION MAINLINE IN ITS PUEBLO WEST SERVICE TERRITORY AND FOR SHORTENED NOTICE.

**INTERIM COMMISSION DECISION GRANTING
REQUEST FOR A SHORTENED NOTICE AND
INTERVENTION PERIOD**

Issued Date: November 27, 2024

Adopted Date: November 27, 2024

TO THE PARTIES IN THIS MATTER AND ALL INTERESTED PERSONS, FIRMS, OR CORPORATIONS:

I. BY THE COMMISSION

A. Statement

1. On November 18, 2024, Colorado Natural Gas, Inc. (“CNG” or the “Company”) filed an Application for approval of Certificate of Public Convenience and Necessity (“CPCN”) for a distribution mainline in the County of Pueblo, Colorado. The new facility is intended to provide additional natural gas utility service to Grupo Cementos de Chihuahua of America, Inc. (“GCC”).

2. This Decision grants the Company’s request for a shortened notice and intervention period.

3. Requests for intervention shall be due on **December 6, 2024**.

B. Discussion

4. CNG explains in the Application that GCC is an existing customer that currently uses natural gas for limited purposes. The GCC cement facility has historically relied on coal and tire-derived fuel to heat its manufacturing kiln instead of natural gas. GCC seeks to add natural gas to the mix of available fuels for the kiln. Use of natural gas instead of coal is further a component of GCC's Greenhouse Gas Emissions and Energy Management Compliance Action Plan to meet an emission reduction target of approximately 30 percent by 2030 in accordance with requirements set by the Colorado Department of Public Health and Environment.

5. CNG explains that its existing distribution system is inadequate to deliver the increased natural gas volumes GCC needs to fuel the kiln. To provide such additional throughput capacity, it is necessary for CNG to construct a new distribution main interconnected to a different upstream pipeline. The new interconnection will be with Colorado Interstate Gas, L.L.C. ("CIG") at the Aguilar lateral. The distribution mainline will pass through unserved areas between the CIG tap and the customer's location.

6. CNG had filed a Petition for Declaratory Order in February 2024 in Proceeding No. 24D-0074G asking the Commission to clarify whether a CPCN is necessary for this project. By mutual agreement among the parties to that proceeding—CNG, Trial Staff of the Colorado Public Utilities Commission ("Trial Staff"), and the Colorado Office of the Utility Consumer Advocate ("UCA"), CNG recently filed a motion to withdraw its petition.

7. CNG filed the Application in this proceeding with a Stipulation and Settlement Agreement reached with Trial Staff and UCA. Neither Staff nor UCA object to the Commission granting the Application.

8. CNG argues that time is of the essence so that GCC can begin using natural gas instead of coal for its kiln as soon as possible in 2025. CNG accordingly requests that the Commission set a shortened notice and intervention period for the Application and rule expeditiously on its merits.

C. Conclusion and Findings

9. The Application is available for public inspection by accessing the Commission's E-Filing system at puc.colorado.gov. **This Decision is the notice that the Application for a Certificate of Public Convenience and Necessity for a Distribution Mainline in CNG's Pueblo West Service Territory has been filed.**

10. The Commission finds good cause to grant CNG's request for a shortened Commission notice and intervention period. Requests for intervention, including a notice of intervention by right, shall be due on **December 6, 2024**.

II. ORDER

A. It Is Ordered That:

1. The request of Colorado Natural Gas, Inc. ("CNG") to shorten the notice and intervention period for its Application for a Certificate of Public Convenience and Necessity For a Distribution Mainline In Its Pueblo West Service Territory ("Application") is granted, consistent with the discussion above.

2. Any person desiring to intervene or participate as a party in this proceeding, including Trial Staff of the Colorado Public Utilities Commission, shall file a petition for leave to intervene, or under the Commission's Rules of Practice and Procedure, file other appropriate pleadings to become a party, by **December 6, 2024**. Alternatively, persons who do not wish to intervene or become a party, but desire to file comments, may send written comments through

the Commission's comment portal at <https://puc.colorado.gov/puccomments>. All persons who file an objection, notice of intervention as of right, motion to permissively intervene, or any other appropriate pleading shall do so in accordance with the instructions set forth in the Commission's Rules of Practice and Procedure and this Decision.

3. The Commission may consider the Application without a hearing if no notice of intervention as of right or motion to permissively intervene is timely filed, or no notice of intervention as of right or motion to permissively intervene requests a hearing or contests or opposes the Application.

4. If a hearing is required in this matter, the Commission will notify the parties of the hearing date, time, and location. CNG must appear at the hearing if one is set, and present evidence in support of its Application. Other parties may appear and present evidence in support of their position.

5. If a party does not meet the requirements of this Decision, the Commission may dismiss or strike the Application or intervention upon motion filed by any other party, or upon the Commission's own motion, unless good cause for failure to meet the requirements is shown.

6. This Decision is effective upon its Issued Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
November 27, 2024.**

(S E A L)



ATTEST: A TRUE COPY

Rebecca E. White,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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MEGAN M. GILMAN

TOM PLANT

Commissioners