

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 23D-0591E

IN THE MATTER OF THE COLORADO COMMUNICATION AND UTILITIES ALLIANCE, THE TOWN OF MORRISON, AND THE CITIES OF ARVADA, AURORA, CENTENNIAL, NORTHGLENN, AND WHEAT RIDGE'S PETITION FOR A DECLARATORY ORDER REGARDING PUBLIC SERVICE COMPANY OF COLORADO'S CUSTOMER OWNED LIGHTING TARIFF AND PAYMENT RESPONSIBILITY FOR STATE AND INTERSTATE HIGHWAY STREETLIGHTING.

**INTERIM COMMISSION DECISION GRANTING
UNOPPOSED MOTION FOR EXTENSION OF TIME TO
FILE EXCEPTIONS AND REQUEST FOR WAIVER OF
RESPONSE TIME**

Issued Date: June 5, 2025

Adopted Date: June 4, 2025

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On December 4, 2023, the Colorado Communication and Utilities Alliance, the Town of Morrison, and the Cities of Arvada, Aurora, Centennial, Northglenn, and Wheat Ridge (collectively, “Local Governments”) filed a Petition for Declaratory Order (“Petition”) initiating this Proceeding. In the Petition, the Local Governments requested that the Commission clarify certain provisions relating to the payment responsibility for interstate and state highway streetlighting.

2. On December 21, 2023, the Public Service Company of Colorado (“Public Service” or the “Company”) filed a Notice of Intervention as of Right, Unopposed Alternative Motion for Permissive Intervention, and Request for Waiver of Response Time.

3. On December 29, 2023, the Colorado Department of Transportation (“CDOT”) filed a Notice of Intervention as of Right and Alternative Motion for Permissive Intervention.

4. By Decision No. C24-0079-I, issued February 7, 2024, the Commission, among other things, accepted the Petition, acknowledged the Company as an intervenor of right, granted CDOT’s permissive intervention, denied CDOT’s Motion in Opposition to Local Governments’ Petition for Declaratory Order and Partial Motion to Dismiss that was filed on January 3, 2024, and referred the matter to an Administrative Law Judge (“ALJ”).

5. On May 21, 2025, the ALJ issued Recommended Decision No. R25-0382 (“Recommended Decision”). The Recommended Decision (1) granted, in part, the Local Governments’ Petition for Declaratory Order, and (2) denied Public Service’s request for a declaratory ruling that municipalities are responsible for paying electric bills for streetlighting on state and interstate highways within their jurisdictions.

6. Pursuant to Rule 1505 of the Rules of Practice and Procedure, 4 *Code of Colorado Regulations* 723-1, parties have 20 days to file exceptions to a recommended decision.

7. On May 30, 2025, Public Service and CDOT filed an Unopposed Joint Motion for an Extension of Time to File Exceptions to Recommended Decision R25-0382 (“Joint Motion”).

8. The Joint Motion requests an extension of time from June 10, 2025, to and including July 11, 2025, to file exceptions to the Recommended Decision. The Company and CDOT represent the Joint Motion is unopposed and, given the impending deadline, request a waiver of remaining response time.

9. Public Service and CDOT state they have identified the need to file exceptions on multiple grounds, many of which address important issues of first impression before the Commission. Public Service asserts it has multiple conflicting deadlines in other pending

Commission proceedings that drastically limit their availability to prepare exceptions in time for the current deadline of June 10, 2025. The Joint Motion also asserts that, as a practical matter, it makes the most sense to have for a uniform deadline to file exceptions.

10. We find the Joint Motion states good cause for an extension of time to file exceptions to the Recommended Decision. Accordingly, we grant the Joint Motion and extend the deadline to file exceptions as requested. Given that the Joint Motion is unopposed, we waive the remaining response time.

11. The deadline to file exceptions to the Recommended Decision is extended to **July 11, 2025.**

II. ORDER

A. It Is Ordered That:

1. The Unopposed Joint Motion for an Extension of Time to File Exceptions to Recommended Decision R25-0382 and Request for Waiver of Response Time filed on May 30, 2025, by Public Service Company of Colorado and the Colorado Department of Transportation is granted, and the remaining response time is waived.

2. The deadline to file exceptions to Recommended Decision No. R25-0382 is extended to **July 11, 2025.**

3. This Decision is effective immediately upon its Issued Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
June 4, 2025.**

(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