

Decision No. C25-0455-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 25A-0165G

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR AUTHORIZATION TO REVISE THE DEPRECIATION RATES FOR GAS UTILITY PLANT ASSETS.

**INTERIM COMMISSION DECISION
ESTABLISHING PROCEDURAL SCHEDULE;
SCHEDULING EVIDENTIARY HEARING; ADOPTING
PROCEDURES FOR EXHIBITS; AND ADDRESSING
DISCOVERY PROVISIONS**

Issued Date: June 13, 2025

Adopted Date: June 11, 2025

I. BY THE COMMISSION

A. Statement

1. On April 11, 2025, Public Service Company of Colorado (“Public Service” or the “Company”) filed for approval of the Company’s Application to Review the Depreciation Rates for Gas Utility Plant Assets (“Application”).

2. Through this Decision, the Commission adopts the procedural schedule contained within Public Service's Supplement to Report Pursuant to Decision No. C25-0400-I Regarding Procedural Schedule, Consolidation, and Provisions for Discovery, filed by Public Service on June 6, 2025. The Commission also extends the decision deadline in the Proceeding by the permitted 130 days under § 40-6-109.5(1), C.R.S. In Attachment A to this Decision, the Commission provides instruction for how the remote evidentiary hearing will be conducted.

Relatedly, in Attachment B to this Decision, the Commission sets forth procedures for the electronic submission of exhibits.

B. Background

3. On April 11, 2025, Public Service filed this Application, supported by the direct testimony of four witnesses and including a new depreciation study. Public Service seeks approval of its proposed depreciation rates for Gas Utility Plant as set forth in the filed depreciation study, for use effective with implementation of new base rates in a future Phase I or combined gas rate case. Public Service also requests the Commission consider continuing regulatory liability treatment for the “\$15 million in decommissioning funds (rather than a trust), as the least cost approach for customers based on current information,”¹ or alternatively approve several facets of its decommissioning trust proposal, and to authorize deferred accounting treatment for case expenses.

4. Staff of the Colorado Public Utilities Commission (“Staff”) and the Utility Consumer Advocate (“UCA”) filed timely notices of intervention of right.

5. Western Resource Advocates/Sierra Club (“WRA/SC”) filed a request for permissive intervention on May 13, 2025. In WRA/SC’s request for permissive intervention, they encouraged the Commission to consider consolidating this Proceeding with Public Service’s 2025 Gas Infrastructure Plan (“GIP”), anticipated in late May 2025.² They stated that the two proceedings will likely present interrelated issues, including the net salvage value for gas assets.

6. By Decision No. C25-0400-I, issued on May 23, 2025, the Commission deemed the Application complete and set it for hearing before the Commission *en banc*. By the same

¹ Hr. Ex. 101 (Berman Direct), p. 8:1-3.

² The GIP was since filed on May 23, 2025, as Proceeding No. 25A-0220G.

decision, the Commission established the parties to the Proceeding³ and required Public Service to confer with the parties and file a proposed procedural schedule by May 30, 2025. The Commission also asked that the filing include any pertinent discussion regarding WRA/SC's suggestion that the Commission consider consolidation or other type of alignment between this Proceeding and the GIP filing.

C. Discussion

7. On May 30, 2025, Public Service filed its Report Regarding Procedural Schedule, Consolidation, and Provisions for Discovery (the "Report") pursuant to Decision No. C25-0400-I. In this Report, Public Service indicated that the parties had conferred on the subject of consolidating this Proceeding with Proceeding No. 25A-0220G. The Report indicates that WRA/SC and UCA support consolidation "for the reasons set forth in WRA/SC's Motion for Permissive Intervention." Public Service and Staff oppose consolidation due to concerns relating to the complexity of the GIP, the different natures of the two filings, and the impact that consolidation would have on the timing of in this Proceeding. The Report also included a consensus procedural schedule in the event that this proceeding and the GIP are not consolidated.

³ The parties to this Proceeding are: WRA/SC, UCA, Staff, and the Company.

8. On June 4, 2025, the Parties learned that the commissioners are unavailable for the proposed evidentiary hearing dates. Accordingly, on June 6, 2025, Public Service filed a Supplement to Report Pursuant to Decision No. C25-0400-I Regarding Procedural Schedule, Consolidation, and Provisions for Discovery (the “June 6 Supplement”). The June 6 Supplement indicated that the Parties conferred on an alternative procedural schedule for this Proceeding, as follows:

Event	Date
Supplemental Direct	June 25, 2025
Answer Testimony	July 22, 2025
Rebuttal Testimony/Cross-Answer Testimony	August 21, 2025
Settlement Agreement and Corrections to Prefiled Testimony	September 5, 2025
Prehearing Motions and Settlement Testimony	September 10, 2025
Cross-Examination Matrix	September 16, 2025
Evidentiary Hearing	September 23 – September 25, 2025 September 26, 2025, if necessary
Statements of Position	October 14, 2025

D. Findings and Conclusions

9. We find that the proposed procedural schedule, as modified in the June 6 Supplement, is appropriate. The Commission therefore schedules a four-day fully remote *en banc* hearing for September 23-26, 2025.

10. We decline to consolidate this case with the GIP. While the GIP was only recently filed, the GIP promises to be a sizable case, with 13 direct witnesses and several substantial requests for Commission consideration. Keeping this Proceeding standalone will allow for more focus on significant issues present here, while consolidation of the cases would only serve to

increase the complexity of the GIP. We also find compelling Public Service and Staff’s arguments regarding the timing misalignment and the absence of overlap of Company witnesses in the two filings.

11. To accommodate the adopted procedural schedule, the Commission finds the additional time permitted in § 40-6-109.5(1), C.R.S., is required in this Proceeding. The Commission therefore extends the decision deadline in the Proceeding by the permitted 130 days allowed by statute.

12. The Company states that Rule 1405, 4 *Colorado Code of Regulations* 723-1, applies to discovery in this Proceeding. The Commission also adopts the proposed discovery procedures.

1. Accordingly, the Commission hereby adopts the procedural schedule as follows:

Event	Date
Supplemental Direct	June 25, 2025
Answer Testimony	July 22, 2025
Rebuttal Testimony/Cross-Answer Testimony	August 21, 2025
Settlement Agreement and Corrections to Prefiled Testimony	September 5, 2025
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Evidentiary Hearing	September 23 – September 26, 2025
Statements of Position	October 14, 2025

2. A remote evidentiary hearing scheduled for September 23-26, 2025, will be conducted using the Zoom platform. To minimize the potential that the remote hearing may be disrupted by non-participants, Commission staff will distribute the link and meeting ID, or access

code, to attend the hearing to the parties by email approximately one week before the hearing, and the parties and witnesses are prohibited from distributing that information to anyone not participating in the hearing.

3. Attachment A to this Decision provides the information addressing how to use the Zoom platform for participating in the remote evidentiary hearing scheduled for September 23-26, 2025. Attachment B provides detailed instructions governing the preparation and presentation of exhibits at hearing. The parties shall review and follow all requirements in this Decision and Attachments A and B, which are incorporated into and made part of this Decision.

4. The party initiating the proceeding is assigned hearing exhibit numbers 100 to 199.

5. Each intervening person or entity is assigned a block of 100 hearing exhibit numbers (*e.g.*, 200-299, 300-399, etc.) in the chronological order that notices of intervention by right and petitions for permissive intervention are filed, as reflected in the Commission's E-Filings System. Parties shall rely upon the Commission's E-Filings system to determine sequencing of requests for intervention (*i.e.*, without regard to whether or when the interventions were granted). To determine the sequencing and avoid duplicative use of blocks, parties are encouraged to confer as needed.

II. ORDER

A. It Is Ordered That:

1. The procedural schedule and discovery procedures contained within the Supplement to Report Pursuant to Decision No. C25-0400-I Regarding Procedural Schedule, Consolidation, and Provisions for Discovery, filed by Public Service Company of Colorado on June 6, 2025, are adopted, consistent with the discussion above.

2. A remote *en banc* evidentiary hearing is scheduled in this Proceeding as follows:

DATE: September 23-26, 2025

TIME: 9:00 a.m. to 5:00 p.m. on September 23, 25, 26, 2025;
1:00 p.m. to 5:00 p.m. on September 24, 2025.

PLACE: Join by video conference using Zoom

3. The decision deadline in this Proceeding is extended by the additional 130 days pursuant to § 40-6-109.5(1), C.R.S.

4. All participants must comply with the requirements in Attachments A and B to this Decision.

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

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
June 11, 2025.**

(S E A L)



ATTEST: A TRUE COPY

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ERIC BLANK

MEGAN M. GILMAN

TOM PLANT

Commissioners

Rebecca E. White,
Director