

Decision No. C25-0796-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 25A-0354E

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO CONCERNING AN APPEAL OF A LOCAL GOVERNMENTAL LAND USE DECISION ISSUED BY ELBERT COUNTY.

**INTERIM COMMISSION DECISION
ADDRESSING NOTICE PROCEDURES FOR UPCOMING
PUBLIC COMMENT HEARING**

Issued Date: November 10, 2025

Adopted Date: November 5, 2025

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. This Proceeding addresses the Verified Application for Appeal of Elbert County's Denial of Requisite Siting Permits ("Application") filed by Public Service Company of Colorado ("Public Service" or the "Company") on August 26, 2025. Public Service states the Application arises from denial by the Elbert County Board of County Commissioners (the "County") of two land use applications that Public Service submitted to the County for approval of 48 miles of the Colorado Power Pathway Transmission Project ("Pathway Project")¹ located within Elbert County. The Application, filed under § 29-20-108(5) and § 40-4-102(1), C.R.S., requests the Commission authorize Public Service to begin construction of Segment 5 of the Pathway Project along the proposed route within the County.

¹ The Commission granted Public Service's application for a certificate of public convenience and necessity for the Pathway Project in Proceeding No. 21A-0096E by Decision No. C22-0270, issued June 2, 2022.

2. By prior Decision No. C25-0787-I, issued October 30, 2025, the Commission scheduled an in-person public comment hearing in Elbert County to be held on December 9, 2025, from 5:00 p.m. to 7:00 p.m., at the Agriculture Building at the Elbert County Fairgrounds, 95 Ute Avenue, Kiowa CO 80112.

3. On November 3, 2025, Public Service filed a Notice of Conferral Regarding Consensus Proposal for Providing Notice of Public Hearing. Public Service proposes to notice the public comment hearing through the following means: (1) publish legal notice in the Ranchland News and the Denver Post and (2) provide to adjacent landowners through first class mail a written notice of the public comment hearing.² Public Service indicated this proposal is unopposed although the County reserves the right to provide additional notice to potentially interested persons through its own choice of means.

4. By this Decision, the Commission finds the notice methods proposed by Public Service to be reasonable and appropriate and therefore specifies, as required by Rule 3705(g), 4 *Code of Colorado Regulations* 723-3, that Public Service shall provide notice of the public comment hearing scheduled for December 9, 2025, consistent with this proposal. The substance of the notice shall, at minimum, provide the date, location, and time of the public comment hearing, and include information specifying how to file with the Commission written comments regarding the Application. The notice specified by this Decision shall be completed no later than two weeks before the date of the public comment hearing.

5. In addition, we encourage the County to provide notice of the public comment hearing to potentially interested persons including local organizations and entities.

² Adjacent landowners are those property owners within 1,320 feet, or one-quarter of a mile, of the route to be traversed by the Pathway Project transmission line within Elbert County.

6. As a reminder to members of the public, speaking at the public comment hearing is not the only way that interested persons can provide comment. Written or oral public comments can be provided by members of the public at any time using the methods outlined below. Please include “Proceeding No. 25A-0354E” to ensure the comments are included in the administrative record of this case.

- Submitting written comments through the Commission’s E-Filing System, available at: <https://www.dora.state.co.us/pls/efi/EFI.homepage>
- Submitting written comments using the Commission’s online form or through email, available at: dora_puc_website@state.co.us
- Mailing written comments to the Commission’s physical offices at: Colorado Public Utilities Commission, 1560 Broadway, Suite 250, Denver, CO 80202
- Calling (303) 869-3490 to leave oral comments (available in English and Spanish)

II. ORDER

A. It Is Ordered That:

1. Public Service Company of Colorado shall provide notice of the public comment hearing to be held in Elbert County, Colorado on December 9, 2025, in the manner described above. Such notice shall be completed no later than two weeks prior to the date of the public comment hearing.

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

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
November 5, 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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Commissioners