

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 25A-0044EG

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR APPROVAL OF THE MOUNTAIN ENERGY PROJECT AND ASSOCIATED CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR SUPPLEMENTAL SUPPLY.

**INTERIM DECISION ESTABLISHING A PROCEDURAL
SCHEDULE, SCHEDULING REMOTE EVIDENTIARY
HEARING, EXTENDING THE DECISION DEADLINE
PURSUANT TO § 40-6-109.5, C.R.S., AND
SETTING PROCEDURES FOR EVIDENTIARY HEARING**

Issued Date: April 22, 2025

I. BY THE COMMISSION

A. Statement

1. On January 16, 2025, Public Service Company of Colorado (“Public Service” or the “Company”) filed a Verified Application for approval and authorization of the Mountain Energy Project (“Application”) as well as requests for a Certificate of Public Convenience and Necessity for the compressed and liquefied natural gas supplemental supply components of the project.

2. By Decision No. C25-0173, issued on March 11, 2025, the Commission referred this matter to Megan M. Gilman as Hearing Commissioner for an initial decision pursuant to § 40-6-109(6), C.R.S.

3. By this Decision, the undersigned Hearing Commissioner establishes a procedural schedule for this Proceeding, including an evidentiary hearing on August 12 through 14, 2025.

The Hearing Commissioner also approves the proposed provisions for discovery, establishes procedures for the filing and presentation of hearing exhibits as well as other hearing procedures, and extends the deadline for a Commission decision pursuant to § 40-6-109.5, C.R.S.

B. Discussion

4. By Decision No. R25-0197-I, issued on March 19, 2025, the undersigned Hearing Commissioner established the parties in this Proceeding: Public Service, the Colorado Energy Office, the Colorado Office of the Utility Consumer Advocate, Trial Staff of the Colorado Public Utilities Commission, the Southwest Energy Efficiency Project, the Mountain Community Coalition, Colorado Energy Consumers Group, and Sierra Club. The Hearing Commissioner also directed Public Service to confer with the other parties in this Proceeding to develop and file a proposed procedural schedule no later March 26, 2025.

5. By Decision No. R25-0217-I, issued on March 25, 2025, the Hearing Commissioner directed Public Service to address certain questions through supplemental direct testimony.

6. On March 26, 2025, Public Service timely filed an Unopposed Joint Motion Pursuant to Decision No. R25-0197-I for Approval of Consensus Procedural Schedule and Provisions for Discovery (“Procedural Schedule Motion”). The Procedural Schedule Motion includes requested dates for the filing of testimony and pleading, the filing of stipulations and settlement agreements, and an evidentiary hearing to be held August 12 through 14, 2025. In the Procedural Schedule Motion, Public Service states that the Company required additional time to evaluate the requirements for the supplemental direct testimony in Decision No. R25-0217-I and to determine when the testimony could be filed.

7. On April 2, 2025, Public Service filed a supplement to the Procedural Schedule Motion. Public Service includes in the proposed procedural schedule a filing date of May 6, 2025, for the supplemental direct testimony required by Decision No. R25-0217-I as well as the other dates set forth in the Procedural Schedule Motion, as follows:

Date	Deadline/Action
May 6, 2025	Supplemental Direct Testimony
June 5, 2025	Answer Testimony
July 3, 2025	Rebuttal and Cross-Answer Testimony
July 23, 2025	Stipulations and Settlement Agreements
July 29, 2025	Testimony Addressing Settlement Agreements
July 31, 2025	Corrections to Testimony
	Witness List and Cross-Examination Matrix
	Prehearing Motions
August 12-14, 2025	Evidentiary Hearing
September 12, 2025	Statements of Position

8. With respect to discovery, the Procedural Schedule Motion states that the parties agree that Rule 4 *Code of Colorado Regulations* (“CCR”) 723-1-1405 shall govern discovery in this Proceeding, with the exception that the parties have agreed to a 7-business day response time for discovery directed solely at the Company’s supplemental direct testimony.

9. The parties also suggest in the Procedural Schedule Motion at least one public comment hearing be scheduled.

C. Findings and Conclusions

10. The proposed procedural schedule set forth in the Procedural Schedule Motion, as modified with a date for the filing of supplemental direct testimony in accordance with Decision No. R25-0217-I, is reasonable and shall be adopted.

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

12. The evidentiary hearing on August 12 through 14, 2025 shall be conducted remotely using the Zoom platform.

13. 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.

14. Attachment A to this Decision provides the information addressing how to use the Zoom platform for participating in the remote evidentiary hearing scheduled in this Proceeding. 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.

15. Hearing exhibits shall be marked numerically and sequentially for identification by the filing parties within their respective blocks of numbers. In order to efficiently organize the numbering and preparation of exhibits for the hearing, all parties shall use a unified numbering system for all hearing exhibits. Parties should not duplicate hearing exhibits or attachments previously filed by another party.

16. The party initiating the proceeding is assigned hearing exhibit numbers 100 to 299.

17. Each intervening person or entity is assigned a block of 100 hearing exhibit numbers (*e.g.*, 300-399, 400-499, 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. As a result, the first person or entity noticing an intervention by right or requesting permissive intervention is assigned hearing exhibit numbers from 300 to 399, the second person or entity is assigned hearing exhibit numbers from 400 to 499, etc. 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.

18. A public comment hearing will be scheduled by separate decision.

II. ORDER

A. It Is Ordered That:

1. The Unopposed Joint Motion Pursuant to Decision No. R25-0197-I for Approval of Consensus Procedural Schedule and Provisions for Discovery filed on March 26, 2025, by Public Service Company of Colorado, as supplemented on April 2, 2025, is granted, consistent with the discussion above.

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

DATE: August 12-14, 2025

TIME: 9:00 a.m. to 5:00 p.m. on August 12 and 14, 2025;
1:00 p.m. to 5:00 p.m. on August 13, 2025

PLACE: Join by video conference using Zoom

3. The parties and witnesses are required to participate in the evidentiary hearing by video conference using Zoom. The parties must ensure that they and their witnesses are ready and

able to participate in the evidentiary hearing by video conference, including presenting evidence electronically during the hearing using Zoom.

4. The parties are responsible for sharing the Zoom link, meeting ID code, and passcode to witnesses and others participating in the hearing. Participants in the hearing may not distribute the link, meeting ID code, and passcode to anyone not participating in the hearing.

5. All parties must comply with the requirements in Attachments A and B to this Decision.

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

7. This Decision is effective upon its Issued Date.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

MEGAN M. GILMAN

Hearing Commissioner

ATTEST: A TRUE COPY

Rebecca E. White,
Director