

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 25AL-0059E

IN THE MATTER OF ADVICE LETTER NO. 1977 - ELECTRIC FILED BY PUBLIC SERVICE COMPANY OF COLORADO TO REVISE ITS COLORADO P.U.C. NO. 8 - ELECTRIC TARIFF TO IMPLEMENT PRO RATA INTERCONNECTION COST SHARING FOR QUALIFIED COMMUNITY SOLAR GARDEN PROJECTS PURSUANT TO SENATE BILL 24-207, TO BECOME EFFECTIVE MARCH 2, 2025.

**INTERIM DECISION GRANTING UNOPPOSED MOTION,
VACATING REMOTE
EVIDENTIARY HEARING, AND SETTING DEADLINE
FOR FILING SETTLEMENT AGREEMENT, MOTION TO
APPROVE SETTLEMENT AGREEMENT, AND
TESTIMONY OR AFFIDAVITS REGARDING
SETTLEMENT AGREEMENT**

Issued Date: June 30, 2025

I. STATEMENT

A. Background

1. On January 30, 2025, Public Service Company of Colorado (“Public Service”) filed Advice Letter No. 1977 with modified tariff sheets that initiated this proceeding (“Advice Letter”). The effective date of the modified tariff sheets was March 2, 2025.

2. On February 18, 2025 and February 20, 2025, Trial Staff of the Colorado Public Utilities Commission (“Staff”) and Colorado Solar and Storage Association (“COSSA”), the Solar Energy Industries Association, and the Coalition for Community Solar Access (“CCSA”) (collectively, “Joint Solar Parties”) filed protests to the Advice Letter, respectively. Both Protests asked the Commission to set the matter for hearing and suspend the effective date of the tariff sheets filed with the Advice Letter. In their Protest, Joint Solar Parties also requested that this

proceeding be consolidated with Proceeding No. 24A-0547E in which the Commission is considering Public Service’s proposed 2025-2029 Distribution System Plan (“DSP”) (“Motion to Consolidate”). Neither Public Service nor Staff filed a response to the Motion to Consolidate.

3. On February 28, 2025, the Commission issued Decision No. C25-0148 that suspended the tariff sheets filed with CNG’s Advice Letter No. 1977 for 120 days, through June 30, 2025; set the matter for hearing; established an intervention period through March 28, 2025; and referred the proceeding to an Administrative Law Judge (“ALJ”). The proceeding was subsequently assigned to the undersigned ALJ.

4. On March 24, 2025 and April 9, 2025, Joint Solar Parties and SunShare, LLC (“SunShare”) filed a Motion to Intervene and a Motion for Leave to Intervene, respectively (collectively, “Motions to Intervene”).

5. On March 24, 2025, Staff filed a Notice of Intervention.

6. On April 11, 2025, the ALJ issued Decision No. R25-0284-I that granted the Motions to Intervene, denied the Motion to Consolidate, scheduled a remote prehearing conference for April 23, 2025 at 1:30 p.m., and required the parties to confer regarding a procedural schedule and for Public Service to file a report of conferral by noon on April 21, 2025.

7. On April 17, 2025, Public Service filed the Conferral Report in which it reported that the parties had agreed to the following procedural schedule (“Consensus Schedule”):

<u>Event</u>	<u>Deadline</u>
Answer Testimony	May 19, 2025
Rebuttal/Cross-Answer Testimony	June 16, 2025

<u>Event</u>	<u>Deadline</u>
Stipulations Settlement Agreement(s) Corrections Prehearing Motions Witness List Cross-Examination Matrix	June 27, 2025
Evidentiary Hearing	July 1, 2025
Statements of Position	July 30, 2025

Public Service also reported that the parties agreed that, among other things, the hearing should be conducted as a remote hearing.

8. On April 22, 2025, the ALJ issued Decision No. R25-0309-I that adopted the Consensus Schedule.

9. On May 14, 2025, the Joint Solar Parties filed a Joint Motion to Modify Procedural Schedule (“Joint Motion”) requesting to extend the deadlines for filing Answer and Rebuttal/Cross-Answer Testimony so they could continue to focus on reaching a settlement agreement in this proceeding.

10. On May 20, 2025, the ALJ issued Decision No. R25-0384-I that granted the Joint Motion.

11. At 4:50 p.m. on June 27, 2025, Public Service filed an Unopposed Motion for a Variance from the Deadline to File the Cross-Examination Matrix and Settlement Agreement on June 27, 2025, to Vacate the Evidentiary Hearing and Deadline for Statements of Position, and to Extend Settlement-Related Deadlines, and Request For Waiver Of Response Time (“Unopposed Motion”).

12. At 1:00 p.m. on June 30, 2025, the ALJ received an email from counsel for Public Service and copying counsel for all other parties stating that the parties had reached a unanimous and comprehensive settlement in principle.

B. Unopposed Motion

13. In the Unopposed Motion, Public Service stated that the parties were close to a settlement agreement in principle, but there had been “[in]sufficient time to reach th[e] resolution in advance of the settlement deadline based on multiple conflicting deadlines and hearings for other key Commission proceedings.”¹ As a result, Public Service requested: (a) a variance of the June 27, 2025 deadline to file settlement agreements and the cross-examination matrix;² (b) to vacate the hearing and the deadline for Statements of Position; and (c) to set a July 11, 2025 deadline for the parties to file the expected settlement agreement, a motion to approve the settlement agreement, and any supporting testimony or affidavits.³

14. In light of the June 30, 2025 email reporting that the parties have reached a settlement in principle, the Unopposed Motion will be granted. The parties will be required to file testimony or affidavits explaining why they support the settlement agreement.

II. ORDER

A. It Is Ordered That:

1. The Unopposed Motion for a Variance from the Deadline to File the Cross-Examination Matrix and Settlement Agreement on June 27, 2025, to Vacate the Evidentiary Hearing and Deadline for Statements of Position, and to Extend Settlement-Related Deadlines,

¹ Unopposed Motion at p. 3 (¶ 6).

² *Id.* at p. 3 (¶¶ 4, 5).

³ *Id.* at p. 4 (¶ 7).

and Request For Waiver Of Response Time filed by Public Service Company of Colorado on June 27, 2025 is granted.

2. The remote evidentiary hearing scheduled for July 1, 2025 is vacated.
3. The deadline to file the settlement agreement, a motion to approve the settlement agreement, and testimony or affidavits from each party explaining why it supports the settlement agreement is July 11, 2025.
4. This Decision is effective on its Issued Date.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

CONOR F. FARLEY

Administrative Law Judge

ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Rebecca E. White".

Rebecca E. White,
Director