

Decision No. C24-0362

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 23A-0242E

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR APPROVAL OF ITS 2024-2026 TRANSPORTATION ELECTRIFICATION PLAN.

**COMMISSION DECISION GRANTING APPLICATION
FOR REHEARING, REARGUMENT, OR
RECONSIDERATION FOR THE SOLE PURPOSE OF
TOLLING THE STATUTORY TIME LIMIT**

Mailed Date: May 29, 2024

Adopted Date: May 22, 2024

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of several applications seeking rehearing, reargument, or reconsideration (RRR) of Decision No. C24-0223. On April 30, 2024, the Commission received applications for rehearing, reargument, or reconsideration of Decision No. C23-0223 filed by each the Colorado Energy Office (CEO), Western Resource Advocates and Sierra Club (WRA-SC), the City of Boulder (Boulder), Southwest Energy Efficiency Projects (SWEEP), Walmart Inc. (Walmart), Staff of the Public Utilities Commission (Commission Staff or Staff), Energy Outreach Colorado (EOC), Public Service Company of Colorado (Public Service), and the Office of the Utility Consumer Advocate (UCA) (together, the RRR Applications). By this Decision, we grant the RRR Applications for the sole purpose of tolling the 30-day statutory time limit in § 40-6-114(1), C.R.S., to act upon such applications. We will issue a future order ruling upon the merits of the RRR Applications.

B. Findings and Conclusions

2. On Through Decision No. C24-0223, issued April 10, 2024, the Commission considered the Application filed by Public Service Company of Colorado (Public Service) requesting the Commission issue an order approving the proposals contained in the Company's 2024-2026 Transportation Electrification Plan (TEP) filed on May 15, 2023.

3. Consistent with the statutory time limit in § 40-6-114(1), C.R.S., and the procedures in Rule 4 CCR 723-1-1506 of the Commission's Rules of Practice and Procedure, any applications for RRR were originally due within 20 days after Decision No. C24-0223 became effective (in this case by April 30, 2024).

4. Pursuant to § 40-6-114(1), C.R.S., we are required to consider and act upon any application for RRR within 30 days of its filing (in this case by May 30, 2024) or the RRR will be denied by operation of law. We find that, due to the complexity of the issues presented in the RRR Applications, as well as the breadth of requests presented, the Commission requires further time to consider the RRR Applications. The Commission is also under time constraints due to the ongoing deliberations in 23A-0392EG and needs more time to adequately prepare each commissioner due to health-related absences in recent weeks. Therefore, to preclude a denial by operation of law, we grant the RRR for the sole purpose of tolling the statutory time limit.

5. This grant is procedural, and undertaken only to toll the statutory time limit in § 40-6-114(1), C.R.S. We will consider the merits of the RRR Applications at a future Commissioners' Weekly Meeting and by separate order, will rule upon the merits of the RRR Applications.

II. ORDER

A. The Commission Orders That:

1. The Application for Rehearing, Reargument, and Reconsideration of Decision C24-02243, filed on April 30, 2024, by the Colorado Energy Office is granted, consistent with the discussion above.

2. The Application for Rehearing, Reargument, or Reconsideration of Decision C24-02243, filed on April 30, 2024, by Western Resource Advocates and Sierra Club is granted, consistent with the discussion above.

3. The Application for Rehearing, Reargument, or Reconsideration of Decision C24-02243, filed on April 30, 2024, by the City of Boulder is granted, consistent with the discussion above.

4. The Application for Rehearing, Reargument, or Reconsideration, filed on April 30, 2024, by Southwest Energy Efficiency Project is granted, consistent with the discussion above.

5. The Application for Rehearing, Reargument, or Reconsideration, filed on April 30, 2024, by Staff of the Public Utilities Commission is granted, consistent with the discussion above.

6. The Application for Rehearing, Reargument, or Reconsideration of Decision No. C24-0223, filed on April 30, 2024, by the Public Service Company of Colorado, is granted, consistent with the discussion above.

7. The Application for Rehearing, Reargument, or Reconsideration, filed on April 30, 2024, by Energy Outreach Colorado is granted, consistent with the discussion above.

8. The Application for Rehearing, Reargument, or Reconsideration, filed on April 30, 2024, by Walmart, Inc. is granted, consistent with the discussion above.

9. The Application for Rehearing, Reargument, or Reconsideration, filed on April 30, 2024, by the Office of the Utility Consumer Advocate is granted, consistent with the discussion above.

10. The Motion for Leave to Respond to RRR, Request for Waiver of Response Time, and Response to the RRR of the Colorado Energy Office, filed on May 9, 2024, by Staff of the Public Utilities Commission is granted, consistent with the discussion above.

11. The 20-day period provided in § 40-6-114, C.R.S., within which to file applications for RRR begins on the first day following the effective date of this Decision.

12. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
May 22, 2024.**

(S E A L)



ATTEST: A TRUE COPY

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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MEGAN M. GILMAN

Commissioners

Rebecca E. White,
Director

COMMISSIONER TOM PLANT
ABSENT