

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 24D-0220G

IN THE MATTER OF VERIFIED PETITION FOR DECLARATORY ORDER DETERMINING WHETHER A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY IS REQUIRED FOR COMPLETION OF THE CLARKSON SYSTEM SAFETY AND INTEGRITY PROJECT, FOR SHORTENED RESPONSE TIME, AND FOR AN EXPEDITED DECISION.

**INTERIM DECISION SETTING REMOTE PREHEARING
CONFERENCE, REQUIRING CONFERRAL,
AND ORDERING PUBLIC SERVICE TO FILE
CONFERRAL REPORT**

Mailed Date: June 24, 2024

I. STATEMENT

A. Background

1. On May 21, 2024, Public Service Company of Colorado (Public Service) filed the Petition for Declaratory Order (Petition) that initiated this proceeding.

2. On June 10, 2024, the Commission issued Decision No. C24-0399-I that accepted the Petition, issued notice of the Petition, and set a 30-day intervention period, and referred the proceeding to an Administrative Law Judge (ALJ). The proceeding was subsequently assigned to the undersigned ALJ. The 30-day intervention period ends on July 10, 2024.

B. Remote Prehearing Conference

3. It is appropriate to hold a remote prehearing conference in this proceeding. Accordingly, a remote prehearing conference shall be scheduled for July 31, 2024, at 1:30 p.m. The remote prehearing conference will be conducted over the Zoom videoconferencing platform.

The ALJ or a member of Commission Staff will email the log-in information in advance of the hearing.

C. Conferral and Conferral Report

4. The ALJ will order Public Service to confer with the other parties in advance of the remote prehearing conference regarding a schedule for this proceeding and whether an evidentiary hearing is necessary. If one or more parties believes an evidentiary hearing is necessary, the parties will confer regarding one or more dates for the hearing, any discovery procedures that are inconsistent with the Commission's rules governing discovery, and the method by which the hearing should be conducted. The Commission can conduct in-person, remote, or hybrid hearings. A remote hearing is one in which the participants appear and participate from remote locations over the Zoom web conferencing platform. A hybrid hearing involves the ALJ and at least one party and/or witness participating from one of the Commission's hearing rooms in Denver, and the remaining party(ies) and witness(es) participating from one or more remote locations using the Zoom web conferencing platform. An in-person hearing is one in which the ALJ and all parties and witnesses participate in the hearing at the same location.

5. Public Service shall file a report of the results of the conferral. If there is agreement on the issues described above, the report shall state as much and detail the stipulated procedural schedule, including discovery procedures and/or the method for conducting the hearing if the parties agree that an evidentiary hearing is necessary. If no agreement is achieved, the report shall state as much and identify the competing schedules, discovery procedures, and/or methods for conducting the hearing proposed by the parties. If the parties disagree about the need for an evidentiary hearing, Public Service shall describe in the Conferral Report the positions of

the parties on that question, including a description of the genuine issue(s) of fact that are material to the declaratory relief sought in the Petition. The parties are on notice that the ALJ will retain the discretion to change the method by which any hearing will be conducted.

6. The parties are urged to review the Commission's public calendar to identify suitable days for a hearing in this proceeding (as necessary) and propose more than one date or consecutive dates for the hearing.

7. The deadline for Public Service to file the report is July 26, 2024.

8. All parties must appear at the remote prehearing conference. Failure to attend or to participate in the remote prehearing conference is a waiver of any objection to the rulings made, to the procedural schedule established, and to the hearing dates scheduled during the remote prehearing conference.

II. ORDER

A. It Is Ordered That:

1. A remote prehearing conference in this proceeding is scheduled as follows:

DATE: July 31, 2024

TIME: 1:30 p.m.

WEBCAST: Commission Hearing Room

METHOD: Join by video conference using Zoom at the link to be provided in an email from the Administrative Law Judge¹

2. Nobody should appear in-person for the remote prehearing conference.

3. The Public Service shall file the report of the conferral identified above on or before July 26, 2024.

¹ Additional information about the Zoom platform and how to use the platform are available at: <https://zoom.us/>. All are strongly encouraged to participate in a test meeting prior to the scheduled hearing. See <https://zoom.us/test>.

4. This Decision is effective immediately.

(S E A L)



ATTEST: A TRUE COPY

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

Rebecca E. White,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

CONOR F. FARLEY

Administrative Law Judge