

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 24AL-0307E

IN THE MATTER OF ADVICE LETTER NO. 1954 - ELECTRIC FILED BY PUBLIC SERVICE COMPANY OF COLORADO TO REVISE ITS COLORADO P.U.C. NO. 8 - ELECTRIC TARIFF TO IMPLEMENT THE CLEAN ENERGY PLAN REVENUE ("CEPR") RATE ADJUSTMENT MECHANISM TO INCREASE CHARGES FOR ELECTRIC SERVICE, TO BECOME EFFECTIVE JANUARY 1, 2025.

**INTERIM DECISION
VACATING HEARING**

Issued Date: January 6, 2025

I. STATEMENT

1. On July 11, 2024, Public Service Company of Colorado ("Public Service" or the "Company") filed Advice Letter No. 1954 - Electric ("AL 1954") with tariff sheets to implement a rate adjustment mechanism called the Clean Energy Plan Revenue ("CEPR"). The CEPR is intended to recover certain costs incurred through the implementation of Public Service's Clean Energy Plan ("CEP") which was approved, with modifications, in Proceeding No. 21A-0141E ("ERP/CEP Proceeding").

2. On July 23, 2024, Public Service filed a Motion for a Protective Order Affording Extraordinary Protection for Highly Confidential Information ("Motion for Extraordinary Protection") The filing was related to its AL 1954 filing on July 23, 2024.

3. On August 5, 2024, by Decision No. C24-0564, the effective date of the tariff was suspended, an intervention period was set, and the matter was referred to an Administrative Law Judge (“ALJ”).

4. On September 5, 2024, Trial Staff of the Public Utility Commission (“Staff”) filed its Notice of Intervention as of Right, Entry of Appearance and Notice Pursuant to rule 1007(a) and Rule 1401, and Request for Hearing.

5. On September 6, 2024, Colorado Energy Consumers (“CEC”) filed its Motion to Permissively Intervene. CEC is an unincorporated association of corporate entities duly authorized and in good standing to transact business within Colorado. All of CEC’s members operate facilities within Public Service’s service territory and purchase electricity and related energy services from the Company.

6. On September 6, 2024, the Utility Consumer Advocate (“UCA”) filed its Notice of Intervention as a Matter of Right, request for hearing and Entry of Appearance. UCA listed several issues that they believe require review.

7. On September 6, 2024, Climax Molybdenum Company (“Climax”) filed its Motion to Intervene Permissively.

8. On August 23, 2024, by Decision No. R24-0615-I, a prehearing conference was scheduled for September 20, 2024.

9. On September 13, 2024, Public Service filed its Motion to Approve Procedural Schedule.

10. On September 26, 2024, by Decision No. R24-0690-I, a procedural schedule was adopted.

11. On October 30, 2024, Public Service Company filed its Notice of Settlement in Principle, Motion to Modify Procedural Schedule and Request for Waiver of Response Time.

12. On November 6, 2024, Public Service, Staff and UCA filed their Non-Unanimous Comprehensive Settlement Agreement (“Settlement Agreement”).

13. On November 20, 2024, CEC and Climax filed their Response to Joint Motion to Approve Settlement (“Response”).

II. EVIDENTIARY HEARING

14. In their Response, CEC and Climax contest only one issue in the Settlement Agreement.

15. The Response also states that the parties have agreed to the admission of certain discovery responses into the evidentiary record. CEC and Climax believe that with the admission of the discovery responses, the undersigned ALJ will have sufficient information to decide the merits of the contested issue without an evidentiary hearing.

16. The undersigned ALJ has reviewed the documents filed in the above captioned proceeding. Based upon the evidentiary record, the undersigned ALJ believes that an evidentiary hearing is unnecessary.

17. The evidentiary hearing scheduled for January 16 & 17, 2025 is vacated.

III. ORDER

It is Ordered That:

1. The evidentiary hearing scheduled for January 16 & 17 2025, is vacated.
2. The undersigned ALJ shall issue a recommended decision at a later date.
3. The Parties shall be held to the advisements in this Decision.
4. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ROBERT I. GARVEY

Administrative Law Judge

ATTEST: A TRUE COPY

Rebecca E. White,
Director