

Decision No. C23-0325-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 21AL-0317E

IN THE MATTER OF ADVICE LETTER NO. 1857 – ELECTRIC FILED BY PUBLIC SERVICE COMPANY OF COLORADO TO REVISE ITS COLORADO PUC NO. 8 – ELECTRIC TARIFF TO REVISE JURISDICTIONAL BASE RATE REVENUES, IMPLEMENT NEW BASE RATES FOR ALL ELECTRIC RATE SCHEDULES, AND MAKE OTHER PROPOSED TARIFF CHANGES TO BECOME EFFECTIVE AUGUST 2, 2021.

**COMMISSION DECISION DENYING
PUBLIC SERVICE’S MOTION, REQUIRING
CONFERRALS AND FILINGS, AND ESTABLISHING THE
LATEST FILING DATE FOR A STAND-ALONE
QUALITY OF SERVICE PLAN APPLICATION**

Mailed Date: May 16, 2023

Adopted Date: May 10, 2023

I. BY THE COMMISSION

A. Statement

1. This Decision denies the Motion for a Variance from Decision No. C22-0178 to Extend Filing Date for a Quality of Service Plan Extension (Motion), filed on April 21, 2023, by Public Service Company of Colorado (Public Service or Company).

2. Consistent with the discussion below, we direct Public Service to confer with the parties to this Proceeding and certain other stakeholders on a proposed filing date and related processes for a stand-alone application filing for the a Quality of Service Plan Extension (QSP Extension) to be submitted for review and consideration no later than September 1, 2023. Public

Service also shall file a notice in this Proceeding no later than May 31, 2023 regarding the conferral and the intended filing date of the QSP Extension.

B. Discussion

3. On March 24, 2022, by Decision No. C22-0178, the Commission granted the Unopposed Motion to Approve Unopposed and Comprehensive Settlement Agreement (Except as to One Issue) and approved the Unopposed and Comprehensive Settlement Agreement (Except as to One Issue) filed on January 5, 2022 by Public Service and most of the intervening parties in this Proceeding.

4. The settlement agreement approved by Decision No. C22-0178 includes provisions that contemplates the filing in April 2023 of a request by the Company to extend its Quality of Service Plan (QSP) for electric utility operations. The QSP filing would come after the Company works with Staff of the Colorado Public Utilities Commission (Staff) and other interested persons with discussions on potential modifications to the existing QSP concluding in April 2023.

5. The specific provisions in the approved settlement with respect to a modified QSP are as follows:

- Public Service will work with Staff and other interested parties to provide more granular reliability metric reporting with respect to census group information that reflects services provided to disproportionately impacted communities;
- Public Service will work with Staff and other interested parties to determine what Advanced Metering Infrastructure meter data may provide the most value to customers for use in potential QSP metrics to be addressed in the Company's next QSP;
- Public Service will report on the changes to the Electric Continuity Threshold and Electric Restoration Threshold metrics proposed in Staff's Answer Testimony in the rate case—at least for two years, starting with the 2022 Annual QSP to be filed in April 2023;

- Public Service will work with Staff and other interested persons on benchmark reporting of other possible metrics in the 2022 Annual QSP and subsequent QSPs for possible changes and inclusion in those QSPs; and
- Public Service will work with Staff and other interested persons on appropriate penalty and reward provisions for new or revised performance-based metrics designed to incentivize incremental improvement which will be filed with the Commission for approval in the next QSP extension in April 2023.

6. The Commission further directed Public Service in this Proceeding to file a Phase II rate case no later than six months following the effective date of Decision No. C22-0178. However, by Decision No. C22-0724, the Commission granted Public Service's subsequent motion to file a Phase II electric rate case no later than May 15, 2023.

7. In the instant Motion, Public Service requests that the Commission allow the Company to include the review and update of the QSP as part of that upcoming Phase II electric rate case, or, as an alternative, to extend the due date from April 2023 to May 17, 2023 to file the QSP Extension in a separate proceeding.

8. By Decision No. C23-0278-I, issued on April 28, 2023, the Commission denied Public Service's request for a shortened response time to the Motion and instead established May 5, 2023 as the deadline for responses.

9. On April 28, 2023, Public Service filed a Request for Clarification of Oral Ruling stating that the Commission's deliberations did not provide guidance for tolling of the due date for filing the QSP Extension pending the Commission's decision on the merit of the Motion.

10. Staff of the Colorado Public Utilities Commission (Staff), the City of Boulder, and Energy Outreach Colorado (Joint Respondents) filed a response to Motion in opposition to the Company's request to including the QSP Extension in its upcoming electric Phase II rate case. They counter that issues surrounding a QSP do not overlap with Phase II rate case matters. They

further raise doubts that any administrative or cost efficiencies would be gained by including the QSP in the Phase II rate case. The Joint Respondents provides no further information regarding how or when Public Service should file a stand-alone application for approval of an electric QSP under the present circumstances.

C. Findings and Conclusions

11. We deny Public Service's motion to include the QSP matter in the upcoming Phase II electric rate case filing. We agree with the Joint Respondents that there is likely to be little overlap of the issues and any economic or administrative efficiencies to be gained by combining the cases are speculative.

12. We have too little information to accept the Company's alternative proposal to establish May 17, 2023 as the deadline for the filing of the QSP Extension. We therefore direct Public Service to confer again with the parties to this Proceeding, and with any of the other entities participating in the QSP-related stakeholder sessions held pursuant to the settlement agreement, on a proposed filing date and related processes for a stand-alone application filing for the QSP Extension. The latest date for such application filing shall be September 1, 2023.

13. We further direct Public Service to file a conferral report in this Proceeding no later than May 31, 2023 including a notice when, on or before September 1, 2023, the stand-alone application for the QSP Extension will be filed.

14. Finally, we decline Public Service's invitation to begin issuing tolling orders. This decision renders the relief requested in the Company's Request for Clarification moot.

II. ORDER**A. It Is Ordered That:**

1. The Motion for a Variance from Decision No. C22-0178 to Extend Filing Date for a Quality of Service Plan Extension (QSP Extension) filed by Public Service Company of Colorado (Public Service) on April 21, 2023 is denied, consistent with the discussion above.

2. Public Service shall confer with the parties to this Proceeding and certain other stakeholders on a proposed filing date and related processes for a stand-alone application filing for the QSP Extension to be filed by Public Service no later than September 1, 2023, consistent with the discussion above.

3. Public Service shall file a notice in this Proceeding no later than May 31, 2023, regarding the conferral and the intended filing date of the QSP Extension, consistent with the discussion above.

4. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' DELIBERATIONS MEETING
May 10, 2023.**

(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

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MEGAN M. GILMAN

TOM PLANT

Commissioners