

Decision No. C20-0215

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 20AL-0094E

IN THE MATTER OF ADVICE LETTER NO. 1820-ELECTRIC OF PUBLIC SERVICE COMPANY OF COLORADO TO IMPLEMENT AN OPTIONAL SCHEDULE INTERVAL DATA METER OPTION FOR RESIDENTIAL AND SMALL COMMERCIAL CUSTOMERS TO BECOME EFFECTIVE ON APRIL 6, 2020.

**DECISION SUSPENDING EFFECTIVE
DATE OF TARIFF SHEETS AND REFERRING THE
MATTER TO AN ADMINISTRATIVE LAW JUDGE**

Mailed Date: April 7, 2020

Adopted Date: April 1, 2020

IMPORTANT NOTICE: ANY PERSON DESIRING TO PARTICIPATE ONLY BY MAKING A STATEMENT MAY DO SO BY APPEARING AT THE HEARING. IF YOU DESIRE TO ASK QUESTIONS OF A WITNESS OR OTHERWISE PARTICIPATE AS A PARTY IN THIS MATTER, YOU MUST REQUEST PERMISSION FROM THE COMMISSION TO BE AN INTERVENOR (EVEN IF YOU HAVE ALREADY FILED AN OBJECTION). ANYONE DESIRING TO INTERVENE MUST CAREFULLY FOLLOW THE LAW AND COMMISSION RULES FOR BECOMING AN INTERVENOR. FOR FURTHER INFORMATION ON HOW TO INTERVENE, CALL (303) 894-2070 (PUC EXTERNAL AFFAIRS OFFICE).

I. BY THE COMMISSION

A. Statement

1. This Decision sets for hearing the tariffs filed by Public Service Company of Colorado (Public Service or Company) under Advice Letter No. 1820-Electric and suspends their effective date to July 3, 2020.

2. We refer the matter to an Administrative Law Judge (ALJ) for hearing.

3. A pleading to intervene in this matter may be filed by any person, firm, or corporation desiring to be a party and fully participate in this proceeding no later than 30 days after the mailing date of this Decision.

B. Discussion

4. On March 6, 2020, Public Service filed Advice No. 1820 – Electric to implement Schedule Interval Data Meter Option (IDMO) in the Company’s Colorado P.U.C. No. 8 – Electric tariff, Sheet Nos. 119 and 119A, to provide an optional service rate for customers who desire to receive an alternative Interval Data Meter to the standard Advanced Meter Infrastructure meter (Advanced Metter), beginning with the commencement of the Advanced Meter roll-out in 2021, with the optional schedule becoming effective April 6, 2020.

5. Also on March 6, 2020, Public Service filed a Motion for Approval of Alternative Form of Notice (Motion) to apply to Public Service’s Advice Letter and tariff filing to implement IDMO in the Company’s Colorado P.U.C. No. 8 – Electric tariff to provide an optional service rate for customers who desire to receive an alternative meter to the Advanced Meter, to be effective April 6, 2020.

6. Public Service stated that it seeks approval of the alternative form of notice to avoid the expense and confusion entailed in other forms of statutory notice. Public Service states that, in order to avoid inundating its customers with email and text notifications for all filings that could potentially cause confusion, it is the Company’s policy to only use emails for significant filings, such as rate case filings. It further states that text message notification is primarily reserved for outage and restoration information.

7. In Decision No. C20-0186-I, issued on March 20, 2020, the Commission found the alternative form of notice proposed by Public Service in its Motion to apply to Advice Letter

No. 1820 – Electric reasonable with respect to the Company’s stakeholders and its general body of electric ratepayers, and found good cause to approve the alternative form of notice requested by Public Service.

8. In the Advice Letter, Public Service is proposing that customers who elect to receive service under Schedule IDMO who live within the Denver Metro service area (including Boulder) will pay a Monthly Meter Reading Charge of \$11.84 to cover the costs associated with the manual read of the IDM. The Company states that this charge is the current contract cost the Company is being assessed by an outside vendor to manually read a meter in the Denver Metro service area.

9. Public Service is proposing that customers who elect to receive service under Schedule IDMO who live outside the Denver Metro service area will be charged \$23.64 to cover the costs associated with the manual meter read, which reflects the actual costs currently incurred in outlying areas for an Xcel Energy employee to perform a manual meter read at a customer’s premise.

10. The Company is also proposing a Trip Charge for the meter removal and/or installation. The proposed charge is the existing Trip Charge of \$46.00, found on Tariff Sheet No. 25 in the Colorado P.U.C. No. 8 – Electric tariff in the Schedule Charges for Rendering Services. Customers that elect to receive an IDM prior to an Advanced Meter being installed on their premises will receive a one-time waiver of the Trip Charge. After an Advanced Meter has been installed at the customer’s premises, any customer who chooses Schedule IDMO will be charged the Trip Charge for the removal of the Advanced Meter and the installation of the IDM.

11. On March 16, 2020, the Colorado Office of Consumer Counsel (OCC) filed a protest and requests that the matter be suspended and set for an evidentiary hearing. The OCC

states that it is not clear whether approving the proposed rates, terms, and conditions is in the public interest and whether the proposed rates, terms, and conditions are just and reasonable.

12. The OCC believes that the Company, or vendor hired by the Company, already performs meter reading services for its natural gas customers since the Company has not installed an Advanced Meter for its natural gas customers. The OCC also believes that a majority of the Company's electric customers are also Public Service natural gas customers. Accordingly, if the Company performs, and will continue to perform, meter reading services for its gas customers, the OCC questions why the proposed cost to read electric meters at the same location is as large as it is. The OCC is concerned that the proposed cost of \$11.84 or \$23.64 is significantly more than an incremental or allocated amount, particularly when a customer opting out of an Advanced Meter is also a Public Service natural gas customer.

13. Pursuant to § 40-6-111(1), C.R.S., the Commission may, in its discretion, set the tariff pages for hearing which will suspend the effective date for 120 days from the proposed effective date. If no new tariffs are established by the Commission before the end of the 120-day suspension period, in this instance August 3, 2020, and if the Commission does not further suspend the effective date of the tariffs pursuant to § 40-6-111(1), C.R.S., the tariff pages filed by Public Service may become effective.

14. Section 40-6-111(1), C.R.S., also provides that the Commission may, in its discretion, by a separate decision, suspend the effective date of the tariff page(s) for an additional 130 days. Thus, the Commission has the power and authority to suspend the effective date of the tariff pages for a maximum of 250 days. If the Commission further suspends the effective date of the tariff pages for an additional 130 days, and if no new tariffs are established by the

Commission before the end of the suspension period, the tariff pages filed by Public Service may become effective.

15. On March 18, 2020, Public Service filed a motion to grant extraordinary protection to safeguard what it deems the highly confidential nature of the Master Pricing Schedule exhibit of the Master Maintenance, Repair and Operations Services Agreement between Tru Check, Inc. (Tru Check) and Public Service. Public Service states that the Master Pricing Schedule has not been released publicly and it contains commercially sensitive and proprietary pricing information specific to the contractual relationship between Public Service and Tru Check which is Highly Confidential information. These details may endanger the security of customer information and premises as well as Company devices. The release of this information would provide a competitive advantage to competitors of Tru Check for having an in-depth scope of the activities and maintenance that Tru Check is responsible for.

16. Public Service seeks an order limiting party access to the Highly Confidential information to a “reasonable number of attorneys” and a “reasonable number of subject matter experts” representing a party to this Proceeding who are not considered competitors of Tru Check.¹ Individuals accessing this information, with the exception of the Commission, the ALJ, and Commission Staff, would be required to execute an appropriate highly confidential non-disclosure agreement.

C. Conclusions and Findings

17. The Commission finds good cause to set for hearing the tariffs submitted with Advice Letter No. 1820-Electric.

¹ Public Service Motion for Extraordinary Protection at p. 5.

18. The initial suspension period for the tariff pages submitted with the tariff pages submitted with Advice Letter No. 1820-Electric shall extend through August 3, 2020.

19. We refer this matter, including the motion to grant extraordinary protection to an Administrative Law Judge.

20. A pleading to intervene may be filed by any person, firm, or corporation desiring to be a party and fully participate in this consolidated proceeding, as ordered below. The filing of any other document protesting the tariff pages shall not allow participation as an intervenor in this matter.

II. ORDER

A. The Commission Orders That:

1. The proposed effective date, April 6, 2020, of the tariff pages filed by Public Service Company of Colorado (Public Service) on March 6, 2020, with Advice Letter No. 1820-Electric in Proceeding No. 20AL-0094E is suspended until August 3, 2020, or until further order of the Commission.

2. This matter, including the motion to grant extraordinary protection is referred to an Administrative Law Judge. The Administrative Law Judge shall set a hearing date, rule on interventions, and establish other procedures by separate decision(s), consistent with the discussion above.

3. Any person, firm, or corporation, including any who have previously filed a document protesting the proposed tariff pages, who desire to intervene and participate as a party in this proceeding shall file a motion to intervene with the Commission within 30 days after the mailing date of this Decision and shall serve a copy of the notice or motion on Public Service's attorney of record.

4. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
April 1, 2020.**

(S E A L)



ATTEST: A TRUE COPY

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JEFFREY P. ACKERMANN

JOHN GAVAN

MEGAN M. GILMAN

Commissioners