

Decision No. C20-0264-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 20AL-0156E

IN THE MATTER OF ADVICE LETTER NO. 1824 - ELECTRIC FILED BY PUBLIC SERVICE COMPANY OF COLORADO TO REVISE ITS COLORADO P.U.C. NO. 8 - ELECTRIC TARIFF TO REVISE THE MONTHLY RATE SECTION OF THE SECONDARY VOLTAGE TIME-OF-USE ELECTRIC VEHICLE SERVICE TO BECOME EFFECTIVE MAY 8, 2020.

**INTERIM COMMISSION DECISION GRANTING
REQUEST FOR ALTERNATIVE FORM OF NOTICE**

Mailed Date: April 20, 2020

Adopted Date: April 15, 2020

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On April 7, 2020, Public Service Company of Colorado (Public Service or the Company) filed a Motion for Approval of Alternative Form of Notice (Motion) to apply to Public Service's Advice Letter No. 1824-Electric.

2. In the Motion, Public Service states that through Advice Letter No. 1824-Electric, the Company proposes to revise the Monthly Rate section of the Secondary Voltage Time-of-Use Electric Vehicle Service (Schedule S-EV) in the Company's Colorado P.U.C. No. 8-Electric tariff, effective May 8, 2020. The Company states that it proposes to provide a definition on Sheet No. 50B of the Summer and Winter Seasons as detailed in the Unopposed Comprehensive Settlement Agreement and approved by the Commission through Decision No. R19-0826 issued in Proceeding No. 19AL-0290E on October 8, 2019. Public Service adds that it also proposes to update the headers to Sheet Nos. 50C and 50D to provide consistency throughout the tariff.

3. The form of legal notice the Company proposes to provide is set forth in Attachment 1 to the Motion.

4. Public Service states that, in addition to posting the legal notice on its website and keeping the file open for public inspection as mandated by § 40-3-104(1)(c)(I), C.R.S., the Company seeks approval to use the following alternative forms of notice:

- a. sending the legal notice via electronic mail to all parties in Proceeding No. 19AL-0290E (the Schedule S-EV proceeding) and to all customers who have enrolled in and have applied to enroll in Schedule S-EV to date; this electronic mailing will be made during the first 20 days of the 30-day period prior to the effective date of the proposed tariff changes; and
- b. posting a copy of this Schedule S-EV Advice Letter filing on the Company's website.

5. In the Motion, Public Service states that it seeks approval of this alternative form of notice in order to avoid the expense and confusion entailed in other forms of statutory notice and to ensure the legal notice is received by each affected customer as required by § 40-3-104(1)(c)(I)(B), C.R.S. Public Service states this is a simple tariff change affecting a limited number of customers, which does not justify the expense of publishing the notice in *The Denver Post*.

6. Pursuant to § 40-3-104(1)(c)(I)(E), C.R.S., and 4 *Code of Colorado Regulations* 723-1-1207(b) of the Commission's Rules of Practice and Procedure, a utility may request to provide an alternative form of notice of proposed tariff changes.

7. We construe Public Service's Motion as requesting approval of alternative form of notice under § 40-3-104(1)(c)(I)(E), C.R.S., to provide notice through electronic mail to certain of its customers. The Company appears to suggest its electronic mailing satisfies § 40-3-104(1)(c)(I)(B), C.R.S., but that provision is for regular mail. Also, in its Motion, the

Company addresses why its proposed electronic mailing is reasonable compared to publication in *The Denver Post*, but fails to address the other permissible forms of notice under the statute. Considering the nature of the proposed tariff changes, we will approve the Motion despite these concerns; provided, however, we request the Company more carefully review the statutory provisions and ensure future motions clearly address these provisions.

8. We find the alternative form of notice proposed by Public Service in its Motion to apply to Advice Letter No. 1824-Electric is reasonable with respect to the Company's stakeholders and its general body of electric ratepayers. We therefore find good cause to approve the alternative form of notice requested by Public Service.

II. **ORDER**

A. **It Is Ordered That:**

1. The request for alternative form of notice to apply to Advice Letter No. 1824-Electric proposed in the Motion for Alternative Form of Notice filed by Public Service Company of Colorado on April 7, 2020, is granted.

2. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
April 15, 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