

Decision No. C20-0466

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 20A-0195E

IN THE MATTER OF THE APPLICATION OF BLACK HILLS COLORADO ELECTRIC, LLC FOR APPROVAL OF ITS TRANSPORTATION ELECTRIFICATION PLAN, READY EV, FOR PROGRAM YEARS 2021-2023 AND FOR RELATED TARIFF APPROVALS.

**DECISION REQUIRING JOINT FILING
WITH PUBLIC SERVICE COMPANY OF COLORADO
REGARDING WAIVER OF § 40-6-109.5(3), C.R.S. AND
PROCEDURAL RECOMMENDATIONS FOR
COMMISSION TO HEAR APPLICATIONS *EN BANC***

Mailed Date: June 24, 2020
Adopted Date: June 24, 2020

I. BY THE COMMISSION

A. Statement

1. On May 08, 2020, Black Hills Colorado Electric, LLC (Black Hills) filed its Application for Approval of its Transportation Electrification Plan, Ready EV, for Program Years 2021-2023 and for Related Tariff Approvals (Application). Black Hills seeks approval of (1) its Application; (2) the Ready EV Plan, including its programs; (3) the Ready EV Plan budget; (4) the Company's proposal to recover certain prudently-incurred costs associated with the Ready EV Plan through the DSMCA; (5) the proposed new time-of-day rate schedules governing EV charging for the residential class, the small general service class, and the large general service–secondary class; and (6) the tariff sheets.

2. Senate Bill 19-077 requires each Colorado electric public utility to file with the Commission “an application for a program for regulated activities to support widespread transportation electrification” within their service territories for Commission approval by May 15,

2020. Senate Bill 19-077 offers a wide variety of regulated activities a utility can undertake to support its TEP. Public Service notes that the number of options present utilities many potential avenues to consider, Senate Bill 19-077 places a limit on how much a utility can invest to limit potential bill impacts. Specifically, Senate Bill 19-077 provides that the “retail rate impact from the development of electric vehicle infrastructure must not exceed one-half of one percent of the total annual revenue requirements of a utility”.

3. In its application, Black Hills states that the Ready EV Plan is designed to address three primary objectives. First, is to support the widespread adoption of EVs, while also ensuring the Plan results in a reasonable cost to all customers. Second, is to establish a fundamental framework for transportation electrification that provides all necessary programs to support EVs and also provides flexible mechanisms that can be adjusted over time to reflect lessons learned, customer preferences, and technology changes. Third, is to ensure that Ready EV complies the requirements and policy objectives of Senate Bill 19-077.

4. To meet these objectives, Ready EV includes the following elements: (1) new rates for EV charging, (2) an EVSE development approach, (3) EVSE rebates, (4) fleet electrification, (5) low-income customer programs, (6) a revised distribution line extension tariff, (7) a Customer Communication and Education Strategy, (8) an EV dealership engagement program, (9) an EV employee engagement program, (10) a safety and reliability approach, (11) Plan metrics, (12) Plan budget, and (13) stakeholder engagement.

5. On May 15, 2020, Public Service Company of Colorado (Public Service) filed its Application for Approval of its 2021-2023 Transportation Electrification Plan (TEP). Public Service requests the Commission issue an order approving the proposals contained in its 2021-2023 Transportation Electrification Plan (TEP) application. Public Service states its TEP is

intended to support Colorado's goal of attaining 940,000 EVs on the road by 2030 as well as to help position Colorado as a national leader in vehicle electrification.

6. The applications were filed pursuant to Senate Bill 19-077 which requires each Colorado electric public utility to file with the Commission "an application for a program for regulated activities to support widespread transportation electrification" within their service territories for Commission approval by May 15, 2020.

7. At the June 24, 2020 Commissioners' Weekly Meeting and by separate decision, we determined it appropriate to hear both applications *en banc*. In doing so, we find that both proceedings are on a near simultaneous procedural path which present several concerns. Hearing both matters in near real time stretches Commission resources to their brink. In addition, we are concerned that hearing similar applications at the same time may cause conflation of the issues and facts of each case resulting in unneeded confusion.

8. Therefore, the Commission finds it appropriate to stagger the proceedings, initiating one application, followed after a period of time by the second application. Initially we plan to hear the Public Service application first followed by Black Hills' application. In order to conduct the proceedings in this manner, it would be necessary for Public Service and Black Hills to waive the statutory timelines for us to issue a decision in each proceeding pursuant to § 40-6-109.5(3), C.R.S.

9. However, we prefer to hear from the parties after consultation with each other as to their proposal on how best to proceed considering each application. Public Service and Black Hills shall consult on a procedural proposal to hear both applications and file a joint proposal by the close of business on Monday June 29, 2020. The proposal is to include discussion of waiver of the statutory deadlines under § 40-6-109.5(3), C.R.S.

II. ORDER

A. It Is Ordered That:

1. Black Hills Colorado Electric, LLC (Black Hills) shall consult with Public Service Company of Colorado (Public Service) on a proposed process for hearing each utility’s application.

2. Black Hills shall file jointly with Public Service a proposed process for hearing each utility’s application including consideration of each utility waiving the statutory deadline for the Commission to issue a decision pursuant to § 40-6-109.5(3), C.R.S.

3. Black Hills and Public Service shall file the joint proposal by the close of business on June 29, 2020.

4. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS’ WEEKLY MEETING
June 24, 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