

Decision No. C20-0814-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 20AL-0469E

IN THE MATTER OF ADVICE LETTER NO. 1838-ELECTRIC OF PUBLIC SERVICE COMPANY OF COLORADO TO REVISE THE COMPANY'S CLEAN AIR CLEAN JOBS ACT RIDER IN ITS COLORADO P.U.C. NO. 8 – ELECTRIC TARIFF EFFECTIVE JANUARY 1, 2021.

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

Mailed Date: November 19, 2020
Adopted Date: November 12, 2020

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On November 2, 2020, Public Service Company of Colorado (Public Service or Company) filed this Motion for Approval of Alternative Form of Notice (Motion). By Advice Letter No. 1838-Electric, also filed on November 2, 2020, the Company filed its tariff filing to revise the Company's annual Clean Air - Clean Jobs Act Rider (CACJA) applicable to all electric sales rate schedules, effective January 1, 2021.

2. Public Service states that it filed Advice Letter No. 1838 – Electric, to revise CACJA rates, effective January 1, 2021, as required by the CACJA clause in Public Service's Colorado P.U.C. No. 8 – Electric tariff, Sheet Nos. 144B through 144F and Commission Decision No. C15-0292 in Proceeding No. 14AL-0660E issued March 31, 2015. Public Service states that pursuant to the CACJA tariff and Decision No. C15-0292, Public Service's customers and the public will receive constructive notice that Public Service filed for new CACJA rates to be effective on January 1, 2021.

3. Public Service seeks authority under § 40-3-104(1)(c)(I)(E), C.R.S., to provide an alternative form of notice of the proposed CACJA rates, pursuant to Advice Letter No. 1838– Electric, to its retail electric customers. The Company is requesting Commission authorization to provide notice of the proposed tariff changes through publication in the Legal Classified section of *The Denver Post*, a newspaper of general circulation. Specifically, Public Service seeks Commission approval to use the following Alternative Forms of Notice:

- a. Filing of the tariff change with the Commission;
- b. A copy of the filed documents are available on the Company’s website at https://www.xcelenergy.com/company/rates_and_regulations/filings.
- c. Publishing a legal notice in *The Denver Post* on one weekday;
- d. Providing information regarding the January 1, 2021, CACJA rate change to all affected customers through a bill onsert included with customers’ electric bills to be delivered over the course of approximately five weeks commencing approximately two weeks after this filing;
- e. Providing the bill onsert to Public Service electric e-bill customers via email to be delivered over the course of approximately five weeks commencing approximately two weeks after this filing; and,
- f. Serving electronically a copy of this tariff filing on all parties in Proceeding Nos. 14AL-0660E and 19AL-0268E.

4. Public Service maintains good cause exists for the Commission to approve the alternative form of notice. The Company represents that in addition to filing the tariff change with the Commission and keeping it open for public inspection, this proposed form of notice will provide direct notice to all retail electric customers. The Company argues that in addition to filing the tariff change with the Commission and keeping it open for public inspection, this proposed form of notice will provide direct notice to all retail electric customers by means of a bill onsert mailing, an email to e-bill customers, and publication of a Legal Notice in *The Denver Post* during the first 20 days of the 30-day period prior to the January 1, 2021, effective date, as required by § 40-3-104(1)(c), C.R.S., and Commission Rules.

5. Because the Motion is being filed contemporaneously with Advice Letter No. 1838-Electric and Public Service must provide timely notice of this filing, the Company respectfully requests that response time to the Motion be waived and that a decision on this Motion be issued forthwith.

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. We find that the alternative forms of notice Public Service proposes in its Motion will provide sufficient notice to Public Service's customers and will do so efficiently. We therefore find good cause to approve the alternative forms of notice Public Service requests.

7. However, we note a statement by Public Service in its Motion that causes some concern. In Paragraph No. 4 of the Motion, Public Service represents as follows: "The Company plans to go forward with this alternative form of notice. Should the Commission deny this Motion; the Company will provide additional notice consistent with the Commission's order." If Public Service has lost sight of the statutory requirements contained under § 40-3-104(2), C.R.S., we remind it of those requirements.

8. Under § 40-3-104(2), C.R.S., "[t]he commission for good cause shown, may allow changes with less notice than is required by subsection (1) of this section by an order specifying the changes so to be made and the time when they shall take effect and the manner in which they shall be filed and published."

9. As an investor-owned utility under the jurisdiction of this Commission, Public Service is required to abide by the Public Utilities Law as set forth in Title 40. With this

reminder, we are confident the Company will continue its long record of adhering to the laws applicable to it.

II. ORDER

A. It Is Ordered That:

1. The Motion for Approval of Alternative Form of Notice filed by Public Service Company of Colorado on November 2, 2020, is granted.

2. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
November 12, 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