

Decision No. R20-0698-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 20M-0251E

IN THE MATTER OF THE COMMISSION'S IMPLEMENTATION OF SECTION 40-3-118,
C.R.S., REGARDING A SURVEY OF ELECTRIC UTILITY RETAIL RATES.

**INTERIM DECISION OF
HEARING COMMISSIONER
MEGAN GILMAN
SCHEDULING A WORKSHOP ON MATERIALLY
GREATER RATES AND RATE RELIEF TOPICS**

Mailed Date: October 1, 2020

I. STATEMENT

1. On June 18, 2020, in accordance with § 40-3-118, C.R.S., the Commission issued Decision No. C20-0451 (Opening Decision) initiating this Proceeding to perform a survey of electric utility retail rates, determine the minimum percentage by which a retail rate that exceeds the state average qualifies as a materially greater rate, consider recommendations that would result in rate relief, and submit a report to the Senate Transportation and Energy Committee and the House of Representatives Energy and Environment Committee by February 1, 2021.

2. Through this Decision, the Hearing Commissioner puts forward for participant comment, a summary of the survey results, a proposed definition of a retail rate that is materially greater than the state average, and potential rate relief topics. Interested persons and participants should submit comments on the survey results, the proposed definition, and potential rate relief topics no later than October 14, 2020.

3. Additionally, this Decision schedules a virtual workshop on the survey results, the proposed definition of a retail rate that is materially greater than the state average, and potential rate relief options. This workshop will take place on October 19, 2020 at 1:00 p.m. Interested persons will be able to participate through video-conference or telephone.

A. Discussion

4. Through its Opening Decision, the Commission designated Commissioner Megan Gilman as Hearing Commissioner, pursuant to § 40-6-101(2), C.R.S., to work with the Staff of the Colorado Public Utilities Commission (Staff), and take input from stakeholders and other interested participants to review the retail rates of Colorado electric public utilities, determine the amount by which a retail rate that exceeds the state average rate constitutes a materially greater rate, and consider recommendations that would result in rate relief in certificated electric utility territories with retail rates materially greater than the state average.

5. Through the Opening Decision and Decision No. R20-0593-I, issued August 13, 2020, two rounds of survey questions were issued to Colorado's investor-owned utilities for responses, and to Colorado's municipal utilities and cooperative electric associations for voluntary responses. Part One of the survey gathered basic information on retail rates, such as cost, rate structure usage, and demographic statistics. Part Two of the survey gathered information on factors that may provide context and meaningful correlations with retail rates. Additionally, interested persons and participants were encouraged to submit comments on topics for Part Two of the survey.

6. Staff has reviewed survey responses and compiled results for stakeholder comment. Attached to this Decision as Attachments 1 through 4 is Staff's summary of survey

results used to define overall statewide average rates and average rates for residential, commercial, and industrial customers, and the average rates resulting from the survey. Attached to this Decision as Attachments 5 through 8 are standard deviation results and cumulative distributions including the 90th percentile for those same categories.

7. To provide standardized results, survey questions were posed in formats and units of measurement conforming to those used by the Energy Information Administration (EIA). Because some survey responses were provided in different formats or units of measurement, Staff adjusted these survey responses to allow for more direct comparison. Additionally, Staff used publicly-available EIA information to fill in gaps in responses and to validate average rate data provided in responses. Attached to this Decision as Attachment 9 is a summary of Staff's adjustments to survey responses for entities which either did not respond to certain survey questions or responded in a manner that was not consistent with publicly-available EIA information.

8. In addition to the compiled survey results, Staff has produced a document for stakeholder comment that summarizes the statewide average retail rates, that proposes and discusses a proposed definition for a retail rate that is materially greater than the state average. Staff further identifies potential options that would result in rate relief in certificated electric utility territories with retail rates materially greater than the state average. Staff's summary document is attached to this Decision as Attachment 10.

9. The Part Two survey responses on correlating factors were received in this Proceeding between August 27, 2020 and September 18, 2020 and may be viewed in the Commission's E-Filings system. Interested persons and participants are encouraged to submit

additional comments by October 14, 2020, in response to the Part Two survey responses on correlating factors, and in response to Staff's summary documents attached to this Decision in Attachments 1 through 10, which include a summary of the survey results, a proposed definition for a retail rate that is materially greater than the state average, and identified topics of potential rate relief. Additional options for rate relief should also be identified and discussed in responsive comments.

10. Interested persons and participants are also encouraged to participate in a virtual workshop addressing the electric retail rate survey results as compiled by Staff, the proposed definition of a retail rate that is materially greater than the state average, and options that would result in rate relief in certificated electric utility territories with retail rates materially greater than the state average. This workshop is scheduled for October 19, 2020 from 1:00 p.m. to 5:00 p.m.

B. Workshop Participation

11. Consistent with Commission practice, the October 19, 2020 workshop will be webcast on the Commission's website. Persons wishing to observe the workshop without participating may do so by observing the webcast of the rulemaking hearing and need not join the workshop by telephone or video-conference. To observe the workshop by webcast, enter this link in the web browser: <https://puc.colorado.gov/webcasts>. Then, select the audio or video option for Hearing Room A found on the date and time of the workshop. Interested persons who do not wish to provide comments during the workshop are encouraged to observe through the webcast because this will help minimize background noise, and may assist in the orderly progression of the workshop.

12. The workshop will be held using GoToMeeting and a call-in telephone number to allow for participation by telephone or video-conference. For those who wish to provide oral comments during the workshop, video-conference participation is encouraged because it allows for the hearing to be held in a manner most similar to an in-person workshop. Nevertheless, interested persons have the option to participate by telephone.

13. During the workshop, the Hearing Commissioner will take action as necessary to facilitate a clear and understandable record, and to ensure the orderly progress of the workshop. For the same reasons, all participants are required to: (a) mute their microphone during the workshop until called upon by the Hearing Commissioner; (b) ensure they are participating from a location with minimal or no background noise; and (c) not connect to the workshop using multiple devices located in the same room (which will cause audio feedback). Participants are encouraged to use a headset to listen to the workshop, as this may also help avoid background noise and feedback when they speak.

14. Any interested person or participant who wishes to provide comments by telephone during the workshop must call +1 (408) 650-3123 at the date and time of the workshop. When prompted, input the pin 975-057-437, which will then connect the call to the workshop.

15. Any interested person or participant who wishes to participate by video-conference must use a computer, smart phone, or tablet that is connected to the internet and has an operational microphone, speaker, and camera. At the date and time of the workshop, video-conference participants must enter the following link in their internet browser: <https://global.gotomeeting.com/join/975057437>. Anyone having difficulty with this link may

instead using the following link: <https://www.gotomeeting.com/meeting/join-meeting> and enter this meeting ID number in the space provided for the meeting ID: 975 057 437. Participants are required to input their full name when prompted to do so. This will allow the Hearing Commissioner to call on participants to provide oral comments in an orderly fashion.

II. ORDER

A. **It Is Ordered That:**

1. Interested persons and participants shall submit any comments on the electric utility retail rate survey, the proposed definition of a retail rate that is materially greater than the state average, and options that would result in rate relief in certificated electric utility territories with retail rates materially greater than the state average, including rate relief topics not identified in this Decision or Attachment 10 to this Decision, by October 14, 2020.

2. A workshop on the electric retail rate survey results as compiled by Staff of the Colorado Public Utilities Commission, a proposed definition of a retail rate that is materially greater than the state average, and topics of potential rate relief, is scheduled as follows:

DATE: October 19, 2020

TIME: 1:00 to 5:00 p.m.

FOR WEBCASTS: Online via Hearing Room A

METHOD: Join by video conference or by telephone at the link or telephone number provided below:

<https://global.gotomeeting.com/join/975057437>

+1 (408) 650-3123 pin no: 975-057-437

3. Interested persons wishing to listen to the workshop, but who are not participating, may listen to the workshop through the Commission's webcasting at: www.puc.colorado.gov/webcasts.

4. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

MEGAN M. GILMAN

Hearing Commissioner

ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Doug Dean".

Doug Dean,
Director