

Decision No. R21-0020-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 20AL-0432E

IN THE MATTER OF ADVICE LETTER NO. 1835 – ELECTRIC FILED BY PUBLIC SERVICE COMPANY OF COLORADO TO REVISE ITS COLORADO P.U.C. NO. 8 - ELECTRIC TARIFF TO ELIMINATE THE CURRENTLY EFFECTIVE GENERAL RATE SCHEDULE ADJUSTMENTS ("GRSA") AND GENERAL RATE SCHEDULE ADJUSTMENT - ENERGY ("GRSA-E"), AND PLACE INTO EFFECT REVISED BASE RATES AND OTHER AFFECTED CHARGES FOR ALL ELECTRIC RATE SCHEDULES IN THE COMPANY'S ELECTRIC TARIFF, INCLUDING UPDATED ELECTRIC AFFORDABILITY PROGRAM ("EAP"), LOAD METER, AND PRODUCTION METER CHARGES TO BECOME EFFECTIVE NOVEMBER 19, 2020.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
STEVEN H. DENMAN
FURTHER SUSPENDING THE EFFECTIVE
DATE OF THE AMENDED TARIFF SHEETS
FILED WITH ADVICE LETTER
NO. 1835-ELECTRIC AMENDED**

Mailed Date: January 12, 2021

I. STATEMENT

A. Procedural History.

1. On October 19, 2020, Public Service Company of Colorado (Public Service) filed AL-1835 with tariff sheets. Through AL-1835, Public Service proposes to allocate its approved \$1,835,585,415 revenue requirement¹ across customer classes, based on a Class Cost of Service Study (CCOSS) using the 2019 Test Year approved by the Commission in Proceeding No. 19AL-

¹ The amount of \$1,828,985,415 was approved in Proceeding No. 20AL-0268E and \$6,600,000 for the Electric Affordability Program was allowed in Proceeding No. 20AL-0090E.

0268E. Public Service states that this filing does not affect its annual revenue. This Proceeding is a Phase II Electric Rate Case.

2. The procedural history of this Proceeding is set forth in previously issued Decisions and is repeated here only as necessary to put this Decision into context.

3. Public Service initially proposed a November 19, 2020 tariff effective date, but requested that the Commission set the tariffs for hearing and suspend their effective date through July 27, 2021.

4. By Decision No. C20-0793 (issued on November 10, 2020) and, pursuant to § 40-6-111(1), C.R.S. (2019), the Commission set for hearing the tariffs filed with Advice Letter No. 1835-Electric and thereby suspended their effective date for 120 days from the proposed effective date, or until March 19, 2021. Decision No. C20-0793 also referred the matter to an Administrative Law Judge (ALJ). Subsequently, the undersigned ALJ was assigned to preside over this Proceeding.

5. By Decision No. R20-0887-I (issued on December 11, 2020), the ALJ further suspended the effective date of the tariff sheets filed with Advice Letter No. 1835-Electric to July 27, 2021.

6. On December 18, 2020, Public Service filed a Notice of Filing a Consensus Procedural Schedule Pursuant to Decision No. R20-0887-I (Notice), proposing a negotiated Consensus Procedural Schedule to which all parties and potential parties had agreed. In order to accommodate the Consensus Procedural Schedule, Public Service proposed to file an amended advice letter designed to allow the ALJ to extend the suspension deadline by 45-days.

7. By Decision No. R20-0922-I (issued on December 29, 2020), the ALJ approved the proposed Consensus Procedural Schedule contingent upon Public Service's filing of the amended advice letter to extend the suspension deadline by a period of 45 days.

8. On January 8, 2021, Public Service filed Advice Letter No. 1835-Electric Amended and accompanying tariffs with an amended proposed effective date of January 3, 2021. No other changes from the original filed tariffs appear in the amended tariffs. Public Service stated that the purpose of the amended advice letter and tariff filing was to allow the amended tariffs to be suspended for the maximum 250-days statutory suspension period, pursuant to § 40-6-111(1), C.R.S. (2019).

9. By Decision No. R21-0019-I (issued on January 11, 2021), the ALJ found that the rates in the amended tariffs filed with Advice Letter No. 1835-Electric Amended may be improper, set the amended tariffs for hearing, and suspended the effective date of the amended tariffs for 120 days from the proposed new effective date, or until May 2, 2021.

B. Further Suspension of the Effective Date of the Filed Tariffs.

10. In Advice Letter No. 1835-Electric Amended, Public Service requested that the ALJ suspend the amended tariffs for an additional 45-days beyond the end of the initial 250-day suspension period (July 27, 2021) in order to accommodate the adopted Consensus Procedural Schedule. As noted above, by Decision No. R21-0019-I the ALJ suspended the effective date of the amended tariff sheets for 120 days, or until May 2, 2021.

11. Pursuant to § 40-6-111(1)(b), C.R.S. (2019), the Commission and the ALJ have the discretion to suspend the effective date of the tariff sheets by separate order for an additional 130 days, that is for a maximum period of 250 days or until September 9, 2021.

12. Because of the complex issues likely to be litigated in this Phase II Electric Rate Case and because the adopted procedural schedule does not schedule hearings until May of 2021, the ALJ finds that a final Commission decision could not be issued in this Proceeding until after the expiration of the initial 120-day suspension period of May 2, 2021.

13. Pursuant to § 40-6-111(1), C.R.S. (2019), therefore, the ALJ will further suspend the effective date of the amended tariff sheets filed with Advice Letter No. 1835-Electric Amended for an additional 130 days, to and including **September 9, 2021**. This further suspension of the effective date of the amended tariff sheets for a new maximum period of 250 days accomplishes the objective of extending the initial suspension period for an additional 45-days in order to accommodate the Consensus Procedural Schedule adopted in Decision No. R20-0922-I.

14. If no new rates and tariffs are established by the Commission before the end of the 250-day suspension period, the amended tariffs filed by Public Service may become effective prospectively.

15. Other procedural orders and advisements may be provided in subsequent interim decisions.

II. ORDER

A. It Is Ordered That:

1. Pursuant to § 40-6-111(1), C.R.S. (2019), the effective date of the amended tariff sheets filed by Public Service Company of Colorado (Public Service) with Advice Letter No. 1835-Electric Amended on January 8, 2021, are suspended for an additional 130 days for a total of 250 days; that is, to and including September 9, 2021.

2. The Parties shall be held to and shall comply with the requirements and advisements provided in previous decisions in this proceeding, including Decision No. R20-0887-I (issued on December 11, 2020) and Decision No. R20-0922-I (issued on December 29, 2020).

3. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

STEVEN H. DENMAN

Administrative Law Judge

ATTEST: A TRUE COPY

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

Doug Dean,
Director