

Decision No. C24-0124

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 24V-0093E

IN THE MATTER OF THE PETITION OF PUBLIC SERVICE COMPANY OF COLORADO FOR APPROVAL OF TEMPORARY AND PARTIAL WAIVERS FROM ITS ELECTRIC TARIFF'S LATE PAYMENT CHARGE PROVISIONS DUE TO THE UNAVAILABILITY OF PAYMENT CHANNELS DURING THE TRANSITION OF REMITTANCE PROCESSING TO AN EXTERNAL VENDOR.

**COMMISSION DECISION GRANTING PETITION FOR
APPROVAL OF TEMPORARY AND PARTIAL WAIVERS
FROM PUBLIC SERVICE COMPANY'S COLORADO PUC
NO. 8 - ELECTRIC TARIFF PROVISIONS RELATING TO
LATE PAYMENTS**

Mailed Date: February 28, 2024

Adopted Date: February 28, 2024

I. BY THE COMMISSION

A. Statement

1. By this Decision, the Commission grants the Petition for Approval of Temporary and Partial Waivers from Colorado PUC No. 8 – Electric Tariff Provision Relating to Late Payments (Petition) filed by Public Service Company of Colorado (Public Service or the Company) on February 26, 2024, seeking Commission approval of temporary and partial waiver of its electric tariff provisions relating to late payment charges.

B. Discussion

2. On February 26, 2024, Public Service filed its Petition, pursuant to Rule 1304(e), 4 *Code of Colorado Regulations* (CCR) 723-1, of the Commission's Rules of Practice and Procedure, requesting that the Commission approve temporary and partial waivers to Public

Service's electric tariff provisions relating to late payment charges from March 1, 2024 through March 31, 2024 (Waiver Period) due to the unavailability of check processing payment channels resulting from Public Service's transition of remittance processing, which is currently handled in-house, to an external vendor. The Company also requests a waiver of the notice and intervention period set forth in Rule 1206 and asks that the Commission issue a decision by February 28, 2024.

3. Public Service states that on March 1, 2024, it will begin transitioning its remittance processing, which the Company currently handles in-house, to an external vendor. The Company states that it is making this change to maintain cost-effective operations in the processing of customer payments via check. During the Waiver Period, the Company expects it may have a limited ability to efficiently record and process customer payments via check.

4. The Company is requesting a waiver from collecting late payment charges from all customers and classes subject to late payment charges during the Waiver Period. In its Petition, Public Service submits a table detailing those customer classes for which it seeks to strike tariff language related to late payment charges.

5. Specifically, Public Service requests temporary and partial variances regarding late payment charge language, as specifically indicated in Public Service's Late Payments table,¹ during the Waiver Period as follows:

- Schedule of Charges for Rendering Service
- Maintenance Charges for Street Lighting Service
- Electric Sales Service Rates – Residential Service
- Electric Sales Service Rates – Small Commercial Service
- Non-Metered Service
- Commercial and Industrial Secondary Service

¹ See, Public Service Petition p. 2-10.

- Commercial and Industrial Primary Service
- Commercial and Industrial Transmission Service
- Commercial and Industrial Special Contract
- Area Lighting
- Public Street and Highway Lighting Service
- Electric Affordability Program
- Recycled Energy Service

C. Findings and Conclusions

6. Under Rule 1003(a), the Commission, in relevant part, may, for good cause shown, grant waivers or variances from tariffs. In making its determination the Commission may take into account, but is not limited to, considerations of hardship, equity, or more effective implementation of overall policy on an individual basis. The Commission may subject any waiver or variance granted to such terms and conditions as it may deem appropriate.

7. Public Service seeks a waiver from collecting late payment charges from all customers and classes subject to late payment charges during the Waiver Period since the Company expects delays in check payment processing as a result of its vendor transition. The Company also requests a waiver of the notice and intervention period set forth in Rule 1206.

8. We find good cause to grant Public Service's request for temporary and partial waiver of late payment charges for the Waiver Period, as specified in the Company's Petition. We also find good cause to grant the Company's request for waiver of the notice and intervention period set forth in Rule 1206.

9. We agree with Public Service that in order to ensure the orderly and fair treatment of the Company's customers, during the transition to a third party vendor, it is appropriate to temporarily waive those portions of its tariffs related to late payment fees in order to avoid

penalties for any delays caused by the unavailability of check processing payment channels resulting from the Company’s transition of remittance processing to an external vendor.

II. ORDER

A. The Commission Orders That:

1. The Petition filed by Public Service Company of Colorado on February 26, 2024, requesting approval of temporary and partial waivers from its electric tariff’s late payment charge provisions, is granted as discussed above.

2. The Company’s request for a waiver of the notice and intervention period set forth in Rule 1206, 4 CCR 723-1, is granted.

3. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS’ WEEKLY MEETING
February 28, 2024.**

(S E A L)



ATTEST: A TRUE COPY

Rebecca E. White,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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MEGAN M. GILMAN

TOM PLANT

Commissioners