

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 23AL-0123E

IN THE MATTER OF ADVICE LETTER NO. 1918 – ELECTRIC FILED BY PUBLIC SERVICE COMPANY OF COLORADO TO REVISE ITS ECONOMIC DEVELOPMENT RATE AND ELECTRIC COMMODITY ADJUSTMENT TARIFFS EFFECTIVE APRIL 14, 2023

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

Mailed Date: March 24, 2023

Adopted Date: March 22, 2023

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On March 14, 2023, Public Service Company of Colorado (Public Service or Company) filed a Motion for Commission Approval of an Alternative Form of Notice (Motion) to apply to the Company’s Advice Letter No. 1918 – Electric, through which the Company seeks modification to portions of its Electric Commodity Adjustment (ECA) tariff and corresponding language in its Economic Development Rate (EDR) tariff in the Company’s P.U.C. No. 8 – Electric tariff, to implement certain clarifications to the Company’s EDR program to be effective on April 14, 2023.

2. Public Service states that the proposed clarifications to the ECA calculation and procedures applicable to customers enrolled in the Company’s EDR offering ensures the EDR program will continue to comply with applicable Colorado law and Commission requirements, as approved in Proceeding No. 20A-0345E. Public Service further represents that, as of the time of

the filing, there are not yet any customers taking service under the Company's EDR tariff or any Non-Standard EDR agreement. The Company further represents that the proposed tariff changes will therefore have no impact on the rates or services of any existing Public Service customers, including non-EDR participants today or in the future.

3. Public Service moves pursuant to § 40-3-104(1)(c)(I)(E), C.R.S., and Rule 1207(b), 4 *Code of Colorado Regulations* (CCR) 723-1 of the Commission's Rules of Practice and Procedure, to provide alternative forms of notice for the Company's filing to its customers. In addition to the notice provided to interested parties through e-filings, Public Service requests Commission approval to use the following forms of notice:

- Posting the legal notice on the Company's public website and keeping the filing open for public inspection pursuant to § 40-3-104(1)(c)(I), C.R.S.
- Providing the legal notice to all parties in the Company's EDR Proceeding No. 20A-0345E.

4. The Company includes that it previously provided newspaper and website notice, as well as email notice to all Commercial and Industrial (C&I) customers at the time of filing its initial EDR application in Proceeding No. 20A-0345E, and subsequently filed the advice letter implementing its approved EDR tariff as a compliance filing. While the instant filing is not a compliance filing, the Company states that the minor tariff modifications being proposed in Advice No. 1918 – Electric are intended only to ensure compliance “in all substantive respects” with the requirements of Decision No. C21-0333 and the underlying statute, as well as to improve accuracy and administrative efficiency in the EDR regulatory process. Given the limited nature of the tariff changes and the lack of any impacted customers at this time, the Company argues that providing additional notice would serve only to inflate noticing costs without any discernable need or benefit to customers.

5. Public Service maintains that good cause exists for the Commission to approve the proposed alternative forms of notice, and that it will avoid incurring the expenses that is entailed in other forms of statutory notice. The Company concludes the proposed alternative forms of notice will be sufficient to alert affected and interested parties to the tariff changes the Company is proposing, including by providing notice of the estimated impact on average Residential and Commercial customers.

6. Pursuant to § 40-3-104(1)(c)(I)(E), C.R.S., and 4 CCR 723-1-1207(b) of the Commission's Rules of Practice and Procedure, a utility may request to provide alternative forms of notice of a tariff change. We find the alternative forms of notice the Company proposes in the Motion will provide sufficient notice efficiently. We therefore find good cause to approve the alternative forms of notice that the Company requests.

II. ORDER

A. It Is Ordered That:

1. The Motion for Commission Approval of an Alternative Form of Notice, filed by Public Service Company of Colorado on March 14, 2023, is granted.

2. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
March 22, 2023.**

(S E A L)



ATTEST: A TRUE COPY

G. Harris Adams,
Interim Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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MEGAN M. GILMAN

TOM PLANT

Commissioners