

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 23D-0162E

IN THE MATTER OF PUBLIC SERVICE COMPANY OF COLORADO'S VERIFIED PETITION FOR DECLARATORY RULING REGARDING TREATMENT OF REVENUE DECOUPLING ADJUSTMENT PILOT ("RDA PILOT") BALANCES.

**COMMISSION DECISION
GRANTING MOTION AND CLOSING PROCEEDING**

Mailed Date: November 15, 2023
Adopted Date: November 1, 2023

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On March 31, 2023, Public Service Company of Colorado (Public Service or the Company) filed a Petition for Declaratory Ruling (Petition) seeking a determination from the Commission regarding the proper treatment of deferred balances associated with the Company's Revenue Decoupling Adjustment (RDA) pilot and specifically the treatment of the \$49.9 million in a Residential RDA Deferral created in 2021.

2. By Decision No. C23-0245-I, issued on April 17, 2023, the Commission accepted the Petition and established a period for notice and interventions.

3. By Decision No. C23-0324-I, issued on May 16, 2023, the Commission established the parties to this Proceeding to include Public Service, Staff of the Colorado Public Utilities Commission, and the Colorado Office of the Utility Consumer Advocate. The Commission also established a briefing schedule to address the Petition, where Public Service's initial brief was due

September 1, 2023, response briefs were due October 2, 2023, and Public Service's reply brief was due October 20, 2023.

4. By Decision No. C23-0572-I, issued on August 28, 2023, the Commission granted Public Service's unopposed motion to hold the proceeding in abeyance upon modifying the procedural schedule established by Decision No. C23-0324-I. Public Service explained in the motion that the settlement agreement orally approved by the Commission on August 16, 2023 in the Company's Phase I Rate Case, Proceeding No. 22AL-0530E, resolves the dispute at issue in this Proceeding. Specifically, the parties in the rate case agreed that the RDA deferrals remaining after the two-year deferral period provided for under the RDA Pilot Tariff will offset other deferred balances that will accrue after January 1, 2023. Under the terms of the rate case settlement, the value of such RDA deferrals will be credited to the Residential and Small Commercial classes, as applicable, occurring at the time the Company establishes new base rates in its next electric Phase I rate case. A footnote in the settlement agreement explained that the Public Service would work with parties to this Proceeding to obtain Commission approval to end this Proceeding following a final Commission decision approving the settlement agreement in the Phase I rate case.

5. On October 27, 2023, Public Service filed an unopposed motion to dismiss this Proceeding.

6. We find good cause to grant the Motion. We agree with Public Service that the terms of the recent settlement agreement in Proceeding No. 22AL-0530E have mooted the Company's request in the Petition for a Commission determination regarding the treatment of RDA Deferrals that may remain after the two-year deferral period.

II. ORDER

A. The Commission Orders That:

1. The Motion to Dismiss Petition for Declaratory Order and Close Proceeding filed by Public Service Company of Colorado on October 27, 2023, is granted, consistent with the discussion above.

2. This Proceeding is closed.

3. This Decision is effective upon its Mailed Date.

B. **ADOPTED IN COMMISSIONERS' DELIBERATIONS MEETING November 1, 2023.**

(S E A L)



ATTEST: A TRUE COPY

Rebecca E. White

Rebecca E. White,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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MEGAN M. GILMAN

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Commissioners