

Decision No. C23-0278-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 21AL-0317E

IN THE MATTER OF ADVICE LETTER NO. 1857 – ELECTRIC FILED BY PUBLIC SERVICE COMPANY OF COLORADO TO REVISE ITS COLORADO PUC NO. 8 – ELECTRIC TARIFF TO REVISE JURISDICTIONAL BASE RATE REVENUES, IMPLEMENT NEW BASE RATES FOR ALL ELECTRIC RATE SCHEDULES, AND MAKE OTHER PROPOSED TARIFF CHANGES TO BECOME EFFECTIVE AUGUST 2, 2021.

**INTERIM COMMISSION DECISION DENYING REQUEST
FOR SHORTENED RESPONSE TIME TO MOTION**

Mailed Date: April 28, 2023
Adopted Date: April 26, 2023

I. BY THE COMMISSION

A. Statement

1. This Decision denies the request of Public Service Company of Colorado (Public Service or Company) to shorten the response time to its Motion for a Variance from Decision No. C22-0178 to Extend Filing Date for a Quality of Service Plan Extension (Motion), filed on April 21, 2023. Consistent with the discussion below, responses to the Motion shall be filed no later than May, 5 2023.

B. Discussion

2. On March 24, 2022, by Decision No. C22-0178, the Commission granted the Unopposed Motion to Approve Unopposed and Comprehensive Settlement Agreement (Except as to One Issue) and approved the Unopposed and Comprehensive Settlement Agreement (Except as

to One Issue) filed on January 5, 2022 by Public Service and most of the intervening parties in this Proceeding.

3. The settlement agreement approved by Decision No. C22-0178 includes provisions that contemplates the filing in April 2023 of a request by the Company to extend its Quality of Service Plan (QSP) for electric utility operations. The QSP filing would come after the Company works with Staff of the Colorado Public Utilities Commission (Staff) and other interested persons with discussions on potential modifications to the existing QSP concluding in April 2023.

4. The specific provisions in the approved settlement with respect to a modified QSP are as follows:

- Public Service will work with Staff and other interested parties to provide more granular reliability metric reporting with respect to census group information that reflects services provided to disproportionately impacted communities;
- Public Service will work with Staff and other interested parties to determine what Advanced Metering Infrastructure meter data may provide the most value to customers for use in potential QSP metrics to be addressed in the Company's next QSP;
- Public Service will report on the changes to the Electric Continuity Threshold and Electric Restoration Threshold metrics proposed in Staff's Answer Testimony in the rate case—at least for two years, starting with the 2022 Annual QSP to be filed in April 2023;
- Public Service will work with Staff and other interested persons on benchmark reporting of other possible metrics in the 2022 Annual QSP and subsequent QSPs for possible changes and inclusion in those QSPs; and
- Public Service will work with Staff and other interested persons on appropriate penalty and reward provisions for new or revised performance-based metrics designed to incentivize incremental improvement which will be filed with the Commission for approval in the next QSP extension in April 2023.¹

¹ TK:

5. The Commission further directed Public Service in this Proceeding to file a Phase II rate case no later than six months following the effective date of Decision No. C22-0178. However, by Decision No. C22-0724, the Commission granted Public Service's subsequent motion to file a Phase II electric rate case no later than May 15, 2023.

6. In the instant Motion, Public Service requests that the Commission to allow the Company to include the review and update of the QSP as part of that upcoming Phase II electric rate case. Public Service specifically asks for three elements of relief: (1) the Commission shorten response time to the motion to noon on April 25, 2023; (2) the Commission take up the motion at its weekly business meeting on April 26, 2023; and (3) the Commission issue an order extending the filing deadline for the Company's next QSP Extension filing to allow it to be included in the Electric Phase II rate case filing, or, as an alternative, to extend the due date from April 2023 to May 17, 2023 to file the QSP Extension in a separate proceeding.

7. The statement of conferral in the Motion explains that the City of Boulder and Staff oppose the granting of all three requests. Public Service also indicates that Energy Outreach Colorado opposes the request to include the QSP in the Phase II rate case. The Motion states that several parties in Proceeding No. 21AL-0317E take no position on the Motion, but that certain of them and other intervening parties nevertheless reserve the right to respond to the Motion. The conferral statement did not disclose the positions on the Motion of three parties because they had not responded to the Company before Public Service filed the Motion.

8. Public Service states in the Motion that the Company's current QSP expires at the end of 2023, which appears to be consistent with the terms of the approved settlement in this Proceeding. However, the currently effective QSP tariff states on Sheet 131A: The QSP shall be in effect for Performance Years 2022 through 2024. The currently QSP tariff was included in

Public Service compliance tariff filing with Advice Letter No. 1882-Electric filed in Proceeding No. 22AL-0136E.

9. No responses to the Motion were filed in this Proceeding before the Commission's weekly meeting on April 26, 2023.

C. Findings and Conclusions

10. Because the conferral statement in Public Service's Motion indicates that certain intervening parties oppose the relief sought in the Motion and that the request for shortened response time to the Motion is also opposed, we reject Public Service's request to shorten response time.

11. Rule 1400 of the Commission Rules of Practice and Procedure, 4 *Code of Colorado Regulations* (CCR) 723-1, establishes a 14-day response time to motions.

12. We conclude that the response time afforded to the intervening parties in this Proceeding by Rule 1400 is appropriate for the Motion. Accordingly, responses to the Motion shall be filed no later than May 5, 2023.

II. ORDER

A. It Is Ordered That:

1. The request of Public Service Company of Colorado (Public Service) to shorten response time to its Motion for a Variance from Decision No. C22-0178 to Extend Filing Date for a Quality of Service Plan Extension (Motion), filed on April 21, 2023, is denied, consistent with the discussion above.

2. Responses to the Motion shall be filed no later than May 5, 2023.

3. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
April 26, 2023**

(S E A L)



ATTEST: A TRUE COPY

A handwritten signature in black ink, appearing to read "G. Harris Adams".

G. Harris Adams,
Interim Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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MEGAN M. GILMAN

Commissioners

COMMISSIONER TOM PLANT ABSENT