

Decision No. C24-0668

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 24I-0394E

IN THE MATTER OF THE INVESTIGATION INTO RECENT OUTAGES ON THE PUBLIC SERVICE COMPANY OF COLORADO ELECTRIC SYSTEM

**COMMISSION DECISION OPENING INVESTIGATORY
PROCEEDING AND NOTICE OF INQUIRY**

Issued Date: September 17, 2024

Adopted Date: September 11, 2024

I. BY THE COMMISSION

A. Statement

1. By this Decision, the Commission opens this Investigatory Proceeding and Notice of Inquiry (“Investigation”) directing Commission Staff (“Staff”) to conduct an investigation of the recent spate of outages on the Public Service Company of Colorado (“Public Service” or the “Company”) electric system. Staff is further directed to conduct this Investigation through the authority vested in the Commission pursuant to Title 40, Articles 1 through 7 of the Colorado Revised Statutes.

B. Background

2. In recent weeks and months, the Consumer Affairs office of the Commission has received numerous phone calls, complaints, and comments from the public regarding a series of outages on Public Service’s electric system. For example, multiple protracted outages were reported during the weekend of August 3, 2024 to August 4, 2024, in Boulder and Jefferson counties prompting a series of complaints to be filed with the Commission.

3. A comment was also filed with the Commission by Ms. Flor Alvidrez, Denver City Councilwoman representing District 7. Councilwoman Alvidrez represented she filed comments on behalf of 178 business and residents in downtown Denver between Lincoln Street and Broadway. She states her constituents “have been affected by 13 electrical outages in 2024 and more than 7 outages in 2023.” She goes on to state that the frequency of outages is “way above the average” of all the neighboring electrical zones and “completely unbearable.”

4. According to Councilwoman Alvidrez, the outages have negatively affected people’s life sustaining medical device usage, as well as local business’ ability to stay open to serve customers and generate revenue. In addition, many restaurants and bars in her District have experienced significant loss in revenue and food spoilage due to long duration outages. Medically dependent residents have also suffered medication spoilage during outages.

5. Other issues resulting from outages include inoperable fire and safety alarms, streetlight and traffic light outages causing safety concerns, as well as cars stranded in local parking garages, leaving residents unable to get to work. During the summer outages, lack of air conditioning in homes and businesses was a concern, especially for those residents reliant on air conditioning for infants and those with infirmities. Generally, during outages, Councilwoman Alvidrez reports that her constituents don’t feel comfortable or safe in their homes or in the area during these outages. Councilwoman Alvidrez requests that the Commission “enforce regulatory action and [Public Service] take immediate action to upgrade its entire electric infrastructure to ensure this dangerous situation is fixed.”

6. A Consumer Affairs analysis reports pockets of complaints which describe outages across the entire state. Reports of outages extend from the Sterling Ranch area in Littleton to Grand

Junction and Palisade, and from Boulder to Central Denver along South Broadway, as well as Platteville.

7. Media outlets have also reported on the outages. Reports on outages have been reported in Grand Junction, Summit County, and several TV news outlets in Denver. It is apparent Public Service customers are well aware of the continuing outage situation, as is Public Service.

C. Commission Rules Governing Outage Reporting

8. Several Commission rules address utility requirements for reporting outages. For example, Rule 4 *Code of Colorado Regulations* (“CCR”) 723-3-3001(z) of the Commission’s Rules Regulating Electric Utilities, defines a “Major Event” as “an event as defined in, and consistent with, IEEE Standard Number 1366- 2003, Guide for Electric Power Distribution Reliability Indices.” For Public Service, this standard is equivalent to approximately 4.55 million customer minutes or one million customers experiencing an outage for 4.55 minutes, or approximately 75,000 customers experiencing an outage for one hour, or 3,200 customers experiencing an outage for a full day.

9. Commission Rule 3203(a), which addresses Interruptions of Service, directs utilities to “keep a record of every service interruption (including, without limitation, forced outages caused by events outside of the utility’s control, scheduled outages, or sustained outages) which occurs on its entire system or on a major division of its system.” Pursuant to Rule 3203(b) these records are to include at least a statement of the time, the duration, and the cause of any service interruption and are to be maintained for five years and open at all times to inspection by authorized representatives of the Commission.

10. Major Event Reporting requirements are set forth in Commission Rules 3251 through 3253. Rule 3241 requires each utility to “notify the Commission of a major event as soon

as possible, but in any event no later than the first business day following the major event.” Rule 3242 requires detailed reporting by utilities regarding major events within 15 days of the event and specifies the information to be provided including, but not limited to, relevant timelines, the number of customers impacted, the geographic area impacted, a profile of utility line crews, the suspected causes of the event, as well as new policies implemented in response to the event.

11. Commission Rule 3539(a), under the Distribution System Planning Rules, addresses security assessments and requires a narrative regarding the current status of the distribution grid and a list of major outages impacting 10,000 customers or more for the previous three years.

12. Although Commission Rules address outages and utilities’ requirements to report certain outages, the Rules specifically address major events rather than the automatic reporting of multiple smaller events, or longer events impacting a relatively small number of customers. Current Commission Rules also currently do not require information regarding a utility’s wildfire operations, or whether there is a correlation between those operations and outages. While that information may be reported in other proceedings before the Commission, there is a lag between the outage events and reporting of those events in a subsequent proceeding. This Staff investigation may serve as an opportunity for the Commission to amend its rules to require a more granular approach to events required to be reported.

D. Findings and Conclusions

13. We agree with Staff that a number of areas should be investigated to understand the root cause of the ongoing outages on Public Service’s electric system. It is important to understand the causes of those outages, as well as how outages can be mitigated, as well as receive

recommendations to ensure a safe and reliable electric system. We therefore order Staff to conduct an investigation to inquire into the following areas:

- A.) The overall trend in Public Service outages for at least the last five to ten years, including on a minimum of a monthly basis:
 - 1.) Length of outages
 - 2.) Number of customers impacted
 - 3.) Geographic distribution by substation
 - a.) Specifically identify the impact on Disproportionately Impacted communities and determine outage trends over time
 - b.) Correlate outages with substations that are approaching full capacity
 - c.) Correlate outages with substation age
- B.) Recent outage areas.
 - 1.) Causes of recent outages
 - a.) Vegetation management
 - b.) Operations & Maintenance schedules
 - c.) Heat and climate trends
 - d.) Wildfire operations
 - e.) Age of equipment
 - 2.) Examination of distribution system configurations and equipment life
 - 3.) Examination of operation and maintenance schedules and activity
 - 4.) Review recent outages in context with the current definition of “Major Events” reported by Public Service
- C.) Impact of wildfire mitigation activities and operations on frequency and length of outages.
- D.) Adequacy of current event logs and reporting requirements.
- E.) Impact of Advanced Metering Infrastructure (“AMI”):
 - 1.) Impact of AMI on speed of outage reporting
 - 2.) Quantify benefits deriving from AMI meters on outage reporting and restoration timelines if practicable.
- F.) Procedures for restoring service.
- G.) Impact of overall customer growth and the number of customers by region on outage trends.

14. We find addressing these issues, as well as any other matters Staff may find appropriate during the course of its investigation will allow us to better understand and address the current number of outages occurring on Public Service's system. We assure the public that we have taken notice of the number of outages recently and their duration. We realize these outages can have a negative impact on businesses and residential customers and understanding the cause of those outages will assist in mitigating the impact and number of outages.

15. We are confident that the historic data gathered by Staff in its investigation will allow us to better understand the cause of the outages and to improve our event reporting rules. We therefore look forward to receiving that data to analyze and evaluate the situation so we may take effective action. We are also interested in data that reveals the location of Disproportionately Impacted communities within outage areas to determine what rate those outages are occurring in correlation to other communities. In addition, we seek data to compare Public Service substations and feeders it has reported are at or near capacity with outage areas to determine any impact on outages.

16. We are further interested in interpreting outage data in the midst of AMI meter installations the last few years to determine whether their ability to track outages and the number of customers affected has increased outage reporting, as well as whether restoration times have improved.

17. While the list of issues identified above is substantially comprehensive, we direct Staff to consider and investigate other related issues that may arise during the course of the investigation.

18. We therefore find it appropriate to open a non-adjudicated proceeding for the purpose of authorizing Staff to complete an investigation into the ongoing outages occurring throughout Public Service's electric system.

19. Public Service is directed to cooperate with Staff as it performs its investigation.

20. Considering that this is a non-adjudicated Staff investigation, there will be no parties to this proceeding.

21. The Commission's audit authority comes from various statutory provisions, namely §§ 40-3-102, 40-3-110, 40-6-106, 40-6-107, and 40-15-107, C.R.S. We designate the statutory audit authority of the Commission to Staff for this investigation. Staff may conduct all audits necessary to complete its investigation in accordance with the Commission's internal audit policy. Public Service shall make every reasonable effort to provide responses to Staff's audit requests within ten calendar days.

22. Any records or documents requested by Staff in this investigation that are claimed to be a trade secret or confidential in nature shall be furnished pursuant to Rule 1100 of the Commission's Rules of Practice and Procedure, 4 CCR, 723-1, *et. seq.* If Public Service believes that any information produced requires extraordinary protection beyond that provided in Rule 1100, *et. seq.*, then the Company shall submit a motion seeking such extraordinary protection.

23. We encourage Staff to make inquiries of appropriate Public Service personnel through written questions, interviews, or meetings. Public Service is directed to coordinate responses to written questions and facilitate meetings and interviews of appropriate Company personnel as requested by Staff.

24. The purpose of this investigatory proceeding is to authorize Staff to investigate the causes of the ongoing outages occurring in Public Service's electrical system as discussed above

and receive Staff's report of findings. Any further action will be taken up in future Proceedings as appropriate.

II. ORDER

A. The Commission Orders That:

1. A non-adjudicatory proceeding is opened for the purpose of directing Commission Staff ("Staff") to investigate the outages continually occurring on Public Service Company of Colorado's ("Public Service") electric system statewide consistent with the discussion above.
2. Staff shall conduct an investigation pursuant to the authority vested in the Commission pursuant to Title 40, Articles 1 through 7 of the Colorado Revised Statutes.
3. Public Service shall cooperate with Staff as it performs its investigation.

4. This Decision is effective immediately on its Issued Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
September 11, 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