

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO**

PROCEEDING NO. 19AL-0605E

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IN THE MATTER OF ADVICE NO. 1805 – ELECTRIC FILED BY PUBLIC SERVICE COMPANY OF COLORADO TO REVISE THE CLEAN AIR - CLEAN JOBS ACT RIDER IN COLORADO P.U.C. NO. 8 ELECTRIC TARIFF, EFFECTIVE JANUARY 1, 2020.

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

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Mailed Date: November 25, 2019  
Adopted Date: November 6, 2019

**I. BY THE COMMISSION**

**A. Statement, Findings, and Conclusions**

1. On November 1, 2019, Public Service Company of Colorado (Public Service or the Company) filed a Motion for Approval of Alternative Form of Notice (Motion) to apply to the Company's Advice Letter No. 1805 – Electric, also filed on November 1, 2019. By Advice No. 1805 - Electric, the Company seeks to revise the Company's Clean Air - Clean Jobs Act Rider (CACJA) in its Colorado P.U.C. No. 8 – Electric tariff to be effective January 1, 2020. The Company states that Advice Letter No. 1805 – Electric increases the CACJA rider rates for electric customers and that the revised 2020 CACJA reflects an increase of \$5,235,534 in annual revenues from the electric rates currently in effect.

2. By its Motion, in addition to posting the proposed tariff changes on its website and keeping the tariff changes open for public inspection consistent with § 40-3-104(1)(c)(I),

C.R.S., Public Service seeks approval to use the following alternative form of notice for the tariff changes:

(a) publishing a legal notice (attached to the Motion as Exhibit 1) in *The Denver Post* on two consecutive Sundays: December 1, 2019, and December 8, 2019;

(b) providing information regarding the CACJA rate change to all Public Service electric customers through a bill onsert included with customer bills to be delivered over the course of approximately five weeks commencing approximately two weeks after filing the Motion;<sup>1</sup>

(c) providing the bill onsert to Public Service electric e-bill customers via email to be delivered over the course of approximately five weeks commencing approximately two weeks after filing the Motion; and

(d) providing a copy of the filing on all parties to Proceeding No. 14AL-0660E.

3. Public Service states that the proposed forms of notice will be less costly than notice forms prescribed by statute. The Company explains that it is providing notice via email to its e-bill customers. To explain why it is not otherwise providing notice through email or text message, Public Service states that it uses emails for energy efficiency marketing, pre-outage communications, and significant filings such as rate review filings, and that it uses text messages primarily for outage and restoration information. Public Service states that e-mailing or text messaging customers for all filings could cause customer confusion, that there is a concern that sending frequent e-mails or texts for noticing or regulatory messages will cause customers to unsubscribe or opt out from receiving e-mails or texts, and that customers authorize Public Service to use their email and cell phone numbers for limited purposes, not general use.

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<sup>1</sup> We remind Public Service that under § 40-3-104(1)(c)(I), C.R.S., additional notice made by method(s) set forth in subsections (1)(c)(I)(A)-(D) of the statute does not require approval from the Commission.

4. As good cause to grant the Motion, Public Service states that the proposed alternative notice should be sufficient to alert affected and interested parties of the tariff changes in a timely fashion. The Company states that it believes the requested alternative forms of notice will provide the required information concerning the tariff changes to the general public, including the estimated impact to customers.

5. Pursuant to § 40-3-104(1)(c)(I)(E), C.R.S., and 4 *Code of Colorado Regulations* 723-1-1207(b) of the Commission's Rules of Practice and Procedure, a utility may request to provide an alternative form of notice of proposed tariff changes. We find the alternative form of notice proposed by Public Service in its Motion to apply to Advice Letter No. 1805 – Electric is reasonable with respect to the Company's stakeholders and its general body of electric ratepayers. We therefore find good cause to approve the alternative form of notice requested by Public Service.

6. The Commission notes that Public Service did not include proposed bill insert language with their filings. Going forward, if Public Service requests bill inserts as an alternative form of notice, the Commission encourages Public Service to file proposed bill insert language to assist the Commission in determining whether requested alternative notice forms are reasonable.

## **II. ORDER**

### **A. It Is Ordered That:**

1. The request for alternative form of notice to apply to Advice Letter No. 1805 – Electric proposed in the Motion for Alternative Form of Notice filed by Public Service Company of Colorado on November 1, 2019, is granted.

2. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
November 6, 2019.**

(S E A L)



ATTEST: A TRUE COPY

Doug Dean,  
Director

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

JEFFREY P. ACKERMANN

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FRANCES A. KONCILJA

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JOHN GAVAN

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Commissioners