

Decision No. C20-0185

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

PROCEEDING NO. 19AL-0268E

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IN THE MATTER OF ADVICE LETTER NO. 1797 FILED BY PUBLIC SERVICE COMPANY OF COLORADO TO RESET THE CURRENTLY EFFECTIVE GENERAL RATE SCHEDULE ADJUSTMENT (GRSA) AS APPLIED TO BASE RATES FOR ALL ELECTRIC RATE SCHEDULES AS WELL AS IMPLEMENT A BASE RATE KWH CHARGE, GENERAL RATE SCHEDULE ADJUSTMENT-ENERGY (GRSA-E) TO BECOME EFFECTIVE JUNE 20, 2019.

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**COMMISSION DECISION GRANTING APPLICATIONS  
FOR REHEARING, REARGUMENT, OR  
RECONSIDERATION FOR THE SOLE PURPOSE  
OF TOLLING THE STATUTORY TIME LIMIT**

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Mailed Date: March 20, 2020

Adopted Date: March 18, 2020

**I. BY THE COMMISSION**

**A. Statement**

1. By this Decision, the Commission grants the applications filed on March 2, 2020 by Public Service Company of Colorado (Public Service or the Company), Staff of the Colorado Public Utilities Commission (Staff), the Colorado Office of Consumer Counsel (OCC), and the Colorado Energy Consumers (CEC), seeking rehearing, reargument, or reconsideration (RRR) of Decision No. C20-0096. We grant RRR for the sole purpose of tolling the 30-day statutory time limit in § 40-6-114(1), C.R.S. We will consider the merits of these applications at a future business meeting.

**B. Findings and Conclusions**

2. On February 11, 2020, the Commission issued Decision No. C20-0096 in this Proceeding. By that Decision, the Commission permanently suspended the tariff sheets filed with Advice Letter No. 1797 and established new rates for electric service for Public Service.

3. Consistent with the statutory time limit in § 40-6-114(1), C.R.S., and the procedures in Rule 4 *Code of Colorado Regulations* 723-1-1506 of the Commission's Rules of Practice and Procedure, applications for RRR were due within 20 days after Decision No. C20-0096 became effective (in this case, by March 2, 2020).

4. On March 2, 2020, Public Service filed an application for RRR of Decision No. C20-0096.<sup>1</sup> Public Service seeks reconsideration of the Commission's determinations in ten areas: (1) the valuation of current test year rate base; (2) the cost of capital, or specifically the return on equity; (3) the cost of long-term debt; (4) weather normalization; (5) decoupling; (6) gains and losses on asset sales; (7) the return on the prepaid pension asset; (8) the return on the prepaid retiree medical asset; (9) the disallowance of certain investments made for the Comanche 3 generation unit; and (10) the disallowance of certain costs associated with Colorado taxes.

5. Staff also filed an application for RRR of Decision No. C20-0096 on March 2, 2020. Staff requests that the Commission adjust the valuation of current test year rate base and to modify the state income tax rate.

6. Also on March 2, 2020, the OCC filed an application for RRR of Decision No. C20-0096. The OCC seeks reconsideration in four areas: (1) the cost of short-term debt;

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<sup>1</sup> Notwithstanding its filing of an application for RRR of Decision No. C20-0096, Public Service filed tariffs, effective February 25, 2020, in Proceeding No. 20AL-0061E in compliance with Decision No. C20-0096.

(2) the state income tax rate; (3) the treatment of board equity compensation; and (4) the allocation of oil and gas royalties between ratepayers and the Company.

7. Finally, CEC filed a fourth application for RRR of Decision No. C20-0096 on March 2, 2020. CEC requests that the Commission reverse the authorization to the Company to recover the costs of the Rush Creek Wind Project through the General Rate Schedule Adjustment-Energy. CEC also asks the Commission to reconsider its decisions regarding the deferral of the 2019 pension expense.

8. Pursuant to § 40-6-114(1), C.R.S., the Commission is required to consider and act upon any application for RRR within 30 days of its filing or the RRR will be denied by operation of law. We grant the applications for RRR filed by Public Service, Staff, the OCC, and CEC to toll this statutory time limit and allow for more time to consider the issues in these filings and accommodate schedule constraints. Accordingly, this grant is merely procedural in order to toll the statutory time limit in § 40-6-114(1), C.R.S. We will issue a future order ruling upon the merits of these applications.

## **II. ORDER**

### **A. The Commission Orders That:**

1. The application for rehearing, reargument, or reconsideration of Decision No. C20-0096 filed by Public Service Company of Colorado on March 2, 2020 is granted consistent with the discussion above.

2. The application for rehearing, reargument, or reconsideration of Decision No. C20-0096 filed by Staff of the Colorado Public Utilities Commission on March 2, 2020 is granted consistent with the discussion above.

3. The application for rehearing, reargument, or reconsideration of Decision No. C20-0096 filed by the Colorado Office of Consumer Counsel on March 2, 2020 is granted consistent with the discussion above.

4. The application for rehearing, reargument, or reconsideration of Decision No. C20-0096 filed by the Colorado Energy Consumers on March 2, 2020, is granted consistent with the discussion above.

5. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
March 18, 2020.**

(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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JOHN GAVAN

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Commissioners

COMMISSIONER MEGAN M. GILMAN NOT  
PARTICIPATING.