

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 20V-0297E

IN THE MATTER OF THE VERIFIED PETITION OF PUBLIC SERVICE COMPANY OF COLORADO FOR ISSUANCE OF WAIVERS TO IMPLEMENT COMMISSION DIRECTIVES REGARDING PRODUCTION METERS.

**INTERIM DECISION SHORTENING PERIOD
FOR NOTICE, INTERVENTION, AND RESPONSE TO
PETITION FOR TEMPORARY RULE WAIVERS**

Mailed Date: July 15, 2020
Adopted Date: July 15, 2020

TO THE PARTIES IN THIS MATTER AND ALL INTERESTED PERSONS, FIRMS, OR CORPORATIONS

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. By this Decision, the Commission establishes a shortened period **through 5:00 p.m. on July 30, 2020**, for notice and intervention to the petition filed on July 10, 2020, by Public Service Company of Colorado (Public Service or the Company), requesting temporary waiver of certain Commission rules (Petition).

2. Public Service requests that the Commission grant it partial waivers of several Public Service Electric Tariff provisions related to the use of production meters for new, on-site solar customers with system installations of 10 kW or less. The Company also requests a full Tariff waiver for all Solar*Rewards Small customers so that the Company may make Renewable Energy Credit (REC) incentive payments on an annual (rather than monthly) basis, in order to

facilitate the transition away from production meters and allow the Company to realize other billing efficiencies.

3. Through its Petition, Public Service requests full or partial waiver of the following provisions within the Commission's Rules and Public Service's Electric Tariffs to implement its 2020-21 Renewable Energy Plan (2020-21 RE Plan) approved in Proceeding No. 19A-0369E by Decision Nos. R20-0099, C20-0289, and C20-0431:

- a) Commission Rule 3402(a)(IV), 4 *Code of Colorado Regulations* (CCR) 723-3 - Public Service requests a partial waiver from the rule language for net-metered customers without production meters and only for the Renewable Energy Standard Adjustment (RESA) fair share charge;
- b) Tariff Sheet No. 112A - Public Service requests a partial waiver from the certain language for systems 10 kW or less, regarding Public Service not mandating the installation of production meters for customer-owned on-site PV systems of 10 kW or less installed after June 8, 2020.
- c) Tariff Sheet No. 113B - Public Service requests a partial waiver from the certain language for systems 10 kW or less installed after June 8, 2020, regarding Public Service not mandating the installation of production meters for customer-owned on-site PV systems of 10 kW or less installed after June 8, 2020.
- d) Tariff Sheet No. 113C - Public Service requests a full waiver from certain tariff language regarding monthly REC payments to allow it to make annual payments for all Solar*Rewards Small systems, both customer-owned and non-customer-owned, including participants in CEO's Low-Income rooftop solar WAP offering.
- e) Tariff Sheet No. 113E - Public Service requests a partial waiver from the certain tariff language, regarding Public Service not requiring a production meter for systems 10 kW or less installed after June 8, 2020 that are paired with storage.
- f) Tariff Sheet No. 113F - Public Service requests a partial waiver from the certain language for customers with systems of 10 kW or less installed after June 8, 2020, regarding Public Service calculating payments for RECs based on PV Watts estimation.
- g) Tariff Sheet No. 150 - Public Service requests a partial waiver from certain language for systems 10 kW and less, regarding Public Service calculating the additional RESA charge using the method provided in Rule 3664(g)(II) in place of a production meter, and the charge will not be made monthly until the necessary billing system changes

are implemented, at which point it will be charged monthly and no waiver of the monthly provision will be required.

- h) Tariff Sheet No. R39 - Public Service requests a partial waiver from the certain language, regarding Public Service not requiring a production meter to measure generation for customers with systems 10 kW or less installed after June 8, 2020.
- i) Tariff Sheet No. R40 - Public Service requests a partial waiver from certain language, regarding Public Service not requiring a production meter to measure generation for customers with systems 10 kW or less installed after June 8, 2020.
- j) Tariff Sheet No. R153 - Public Service requests a partial waiver from certain language, regarding Public Service billing customers a one-time RESA fair share charge within 60 days of implementing the necessary billing system changes identified in this Petition for Waivers, which will be more than a six-month period.

Public Service requests that these waivers be temporary, and be in effect until the Commission issues different rules through its ongoing rulemaking, Proceeding No. 19R-0096E, considering various Renewable Energy Standard (RES) rule revisions, and until the Company has made new Tariff filings. The Company notes that upon the conclusion of Proceeding No. 19R-0096E, the Company anticipates it will file a compliance advice letter with final revisions to its applicable Tariff Sheets consistent with the waivers granted herein, along with any Tariff modifications needed as a result of the rulemaking.

4. In addition, Public Service request that, consistent with Rule 1003(b), 4 CCR 723-1, and Decision No. C20-0431, and to provide for timely resolution of the limited issues addressed in this Petition, the Commission shorten the notice and intervention period set forth in Rule 1206, 4 CCR 723-1, to 14 days.

5. We find it appropriate in these circumstances to establish a shortened notice and intervention period for the Petition to 14 days given parties' advanced notice of the petition filing through the final order in Proceeding No. 19A-0369E, and to provide timely consideration of the

discrete issues. Requests for intervention, including any notice of intervention by right of Staff of the Colorado Public Utilities Commission, shall be due on or before **5:00 p.m. on July 30, 2020.**

6. The Application is available for public inspection at the Commission office located at 1560 Broadway, Suite 250, Denver, Colorado 80202, excluding weekends and state holidays, and through the Commission's E-filing system. **This Decision shall serve as notice that the Petition has been filed.**

II. ORDER

A. It Is Ordered That:

1. The Commission adopts a shortened period for notice and intervention to the petition filed by Public Service on July 10, 2020, seeking a temporary waiver of certain Commission rules (Petition).

2. Any person desiring to intervene or participate as a party in this proceeding, including Staff of the Colorado Public Utilities Commission, shall file a petition for leave to intervene or, pursuant to the Commission's Rules of Practice and Procedure, other appropriate pleadings to become a party, together with any response supporting or opposing the Petition, on or before **5:00 p.m. on July 30, 2020.**

3. Alternatively, persons who do not wish to intervene or become a party, but desire to file comments, may send written comments on or before **5:00 p.m. on July 30, 2020**, through the Commission's comment portal at: <https://puc.colorado.gov/puccomments>.

4. All persons who file notice of intervention as of right, motion to permissively intervene, or any other appropriate pleading shall do so in accordance with the instructions set forth in the Commission's Rules of Practice and Procedure and this Decision.

5. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
July 15, 2020.**

(S E A L)



ATTEST: A TRUE COPY

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JEFFREY P. ACKERMANN

JOHN GAVAN

MEGAN M. GILMAN

Commissioners