

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 20AL-0191E

IN THE MATTER OF ADVICE LETTER NO. 1825 – ELECTRIC FILED BY PUBLIC SERVICE COMPANY OF COLORADO TO REVISE ITS COLORADO P.U.C. NO. 8 – ELECTRIC TARIFF TO IMPLEMENT A COLORADO ENERGY PLAN ADJUSTMENT AND REDUCE THE RENEWABLE ENERGY STANDARD ADJUSTMENT TO BECOME EFFECTIVE JUNE 1, 2020.

**INTERIM DECISION FURTHER SUSPENDING,
UNDER § 40-6-111(1)(b), C.R.S., THE EFFECTIVE DATE
OF TARIFFS FILED WITH THE ADVICE LETTER**

Mailed Date: September 25, 2020

Adopted Date: September 23, 2020

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On May 1, 2020, Public Service Company of Colorado (Public Service or Company) filed Advice Letter No. 1825 with tariff sheets to implement a new rate adjustment mechanism called the Colorado Energy Plan Adjustment (CEPA) and to reduce the Renewable Energy Standard Adjustment (RESA) from 2 percent to 1 percent. The proposed effective date of the tariffs filed with Advice Letter No. 1825 is June 1, 2020.

2. Public Service proposes to put into effect the CEPA to recover the regulatory asset established as a result of early retirement of two of the coal-fired generation units at the Comanche Generating Station. Public Service states that the early retirements of Comanche 1 (by the end of 2022) and Comanche 2 (by the end of 2025) are components of the Colorado Energy Plan Portfolio approved by the Commission in Decision No. C18-0761 in Proceeding

No. 16A-0396E issued September 10, 2018, Public Service's most recent Electric Resource Plan proceeding.

3. Public Service further explains that in a related case, Proceeding No. 17A-0797E, the Company sought Commission approval to: (1) modify the depreciation schedules for Comanche 1 and Comanche 2 and establish a regulatory asset to account for the costs of the accelerated depreciation; and (2) reduce the RESA from 2 percent to 1 percent and implement the CEPA at 1 percent of retail revenue coincident with the RESA reduction.

4. Through Decision No. C20-0410, issued May 29, 2020, the Commission set this matter for hearing *en banc* and suspended the effective dates of the tariff pages filed with Advice Letter No. 1825 pursuant to § 40-6-111(1), C.R.S., for 120 days from the June 1, 2020, effective date, or until September 29, 2020. Through its decision, the Commission explained that, before addressing the tariffs filed with Advice Letter No. 1825, it is necessary to examine further the proposed reductions to the RESA surcharge.

5. By subsequent orders, the Commission issued questions to the Company,¹ addressed interventions,² including late filed interventions,³ and upon consideration of procedural recommendations from the parties, vacated the previously scheduled prehearing conference, but required responses to the Commissioner questions no later than August 31, 2020.⁴

6. Responses to the Commissioner questions were provided by the Company on August 31, 2020, as required by Decision No. C20-0602-I. The Commission is in the process of

¹ Decision No. C20-0518-I, issued July 16, 2020.

² *Id.*

³ Decision No. C20-0555-I, issued August 3, 2020.

⁴ Decision No. C20-0602-I, issued August 18, 2020.

reviewing these responses such that it can consider next steps and determinations in the proceeding.

7. Pursuant to § 40-6-111(1)(b), C.R.S., the Commission may suspend the proposed tariff for a period not to extend beyond 120 days beyond the time when the proposed tariff would otherwise go into effect, unless the Commission, in its discretion, and by separate order, extends the period of suspension for a further period, not to exceed 130 days. The current 120-day suspension expires on September 29, 2020.

8. Additional time is necessary to enable the Commission to consider the responses provided by the Company, and address its next steps and determinations through a separate order. Therefore, through this Decision, we extend the period of suspension as permitted under § 40-6-111(1)(b), C.R.S., for a period not to exceed 130 days, or until February 6, 2021.⁵ If the Commission does not permanently suspend, on or before February 6, 2021, the tariffs that accompany the Amended Advice Letter, those tariffs may become effective.

II. ORDER

A. It Is Ordered That:

1. The proposed effective date, June 1, 2020, of the tariff pages filed by Public Service Company of Colorado on May 1, 2020, with Advice Letter No. 1825 in Proceeding No. 20AL-0191E is suspended for an additional 130 days pursuant to § 40-6-111(1)(b), C.R.S.

2. This Decision is effective upon its Mailed Date.

⁵ The Commission anticipates brining the matter back for determinations on the merits well before the proposed effective date of January 1, 2021, despite the statutory extension.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
September 23, 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