

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 21AL-0091E

IN IN THE MATTER OF ADVICE NO. 1850-ELECTRIC FILED BY PUBLIC SERVICE COMPANY OF COLORADO TO REVISE ITS CRITICAL PEAK PRICING (“CPP”) TARIFFS AND TO IMPLEMENT A PERMANENT CPP PRODUCT.

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

Mailed Date: March 5, 2021
Adopted Date: March 3, 2021

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On February 26, 2021, Public Service Company of Colorado (Public Service or Company) filed this Motion for Approval of Alternative Form of Notice (Motion). By Advice Letter No. 1850-Electric, also filed on February 26, 2021, the Company seeks to revise the Critical Peak Pricing (CPP) Service tariffs in its Colorado P.U.C. No. 8 – Electric Tariff with an effective date of March 29, 2021.

2. Public Service moves pursuant to § 40-3-104(1)(c)(I)(E), C.R.S., to provide alternative forms of notice for the revisions to its tariff. In addition to posting the legal notice on its website as mandated by § 40-3-104(1)(c)(I), C.R.S., Public Service is seeking Commission approval to use the following alternative forms of notice:

- Mailing or emailing a legal notice, attached to the Motion as Exhibit 1, to current Critical Peak Pricing pilot participants; and
- Emailing the legal notice to all intervenors in Proceeding No. 19A-0369E, the Company’s last Renewable Energy Compliance Plan and all intervenors in Proceeding No. 20A-0287EG, the Company’s most recent Demand-Side Management Plan proceeding.

3. Public Service maintains good cause exists for the Commission to approve the alternative forms of notice. The Company represents that the alternative forms of notice listed above will provide direct notice to all parties who participated in the most recent cases involving CPP as well as to all customers participating in the CPP pilot, and that posting the notice on the Company's website will provide the general public with the necessary information about the proposed revisions. The Company concludes that the proposed alternative notice is sufficient to alert affected and interested parties of the changes that the Company is proposing by its Advice Letter in a timely fashion, and in a manner that is less costly than the approaches outlined in statute.

6. Pursuant to § 40-3-104(1)(c)(I)(E), C.R.S., and 4 *Code of Colorado Regulations* (CCR) 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 that the alternative forms of notice Public Service proposes in its Motion will provide sufficient notice to interested parties and will do so efficiently. However, we are concerned that if the only public posting of the notice is on the Company's website the general public would not receive adequate notice of these changes. We therefore find good cause to approve the alternative forms of notice Public Service requests but with one additional requirement: the Company must publish a legal notice once each week for two successive weeks in a newspaper of general circulation. This modified approach balances efficiency with notice to the general public.

II. ORDER

A. It Is Ordered That:

1. The Motion for Approval of Alternative Form of Notice filed by Public Service Company of Colorado on February 26, 2021, is granted with the additional condition described above.

2. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
March 3, 2021.**

(S E A L)



ATTEST: A TRUE COPY

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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Commissioners