

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 20AL-0432E

IN THE MATTER OF ADVICE LETTER NO. 1835 – ELECTRIC FILED BY PUBLIC SERVICE COMPANY OF COLORADO TO REVISE ITS COLORADO P.U.C. NO. 8 – ELECTRIC TARIFF TO ELIMINATE THE CURRENTLY EFFECTIVE GENERAL RATE SCHEDULE ADJUSTMENTS (“GRSA”) AND GENERAL RATE SCHEDULE ADJUSTMENT – ENERGY (“GRSA-E”), AND PLACE INTO EFFECT REVISED BASE RATES AND OTHER AFFECTED CHARGES FOR ALL ELECTRIC RATE SCHEDULES IN THE COMPANY’S ELECTRIC TARIFF, INCLUDING UPDATED ELECTRIC AFFORDABILITY PROGRAM (“EAP”), LOAD METER, AND PRODUCTION METER CHARGES TO BECOME EFFECTIVE NOVEMBER 19, 2020.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
STEVEN H. DENMAN
SCHEDULING REMOTE PUBLIC COMMENT HEARING
AND INSTRUCTIONS FOR PARTICIPATION**

Mailed Date: March 11, 2021

I. STATEMENT

1. This Interim Decision schedules a remote public comment hearing in this Proceeding by using the video conference platform Zoom, consistent with the discussion below and the instructions in Attachment A hereto.

2. The procedural history of this Proceeding is set forth in previously issued decisions and is repeated here only as necessary to put this Decision into context.

A. Procedural History

3. On October 19, 2020, Public Service Company of Colorado (Public Service) filed Advice Letter No.1835-Electric (AL-1835) with tariff sheets. Through AL-1835, Public Service

proposes to allocate its approved \$1,835,585,415 revenue requirement¹ across customer classes, based on a Class Cost of Service Study (CCOSS) using the 2019 Test Year approved by the Commission in Proceeding No. 19AL-0268E. Public Service states that this filing does not affect its annual revenue. This Proceeding is a Phase II Electric Rate Case.

4. By Decision No. C20-0793 (issued on November 10, 2020) and, pursuant to § 40-6-111(1), C.R.S. (2019), the Commission set for hearing the tariffs filed with AL-1835 and thereby suspended their effective date for 120 days from the proposed effective date, or until March 19, 2021. Decision No. C20-0793 also referred the matter to an Administrative Law Judge (ALJ). Subsequently, the undersigned ALJ was assigned to preside over this Proceeding.

5. The effective date of the tariff sheets filed with AL-1835 was further suspended to July 27, 2021 by Decision No. R20-0887-I (issued on December 11, 2020).

6. On January 8, 2021, Public Service filed Advice Letter No. 1835-Electric Amended (AL-1835 Amended) and accompanying tariffs with an amended proposed effective date of January 3, 2021. By Decision No. R21-0019-I (issued on January 11, 2021), the ALJ set the amended tariffs for hearing and suspended their effective date for 120 days from the proposed new effective date, or until May 2, 2021. The effective date of the amended tariffs was suspended once again, this time to September 9, 2021, by Decision No. R21-0020-I (issued on January 12, 2021).

7. The Parties to this Proceeding are Public Service, the Colorado Office of Consumer Counsel, Trial Staff of the Colorado Public Utilities Commission, the City of Boulder, the City of Denver, Energy Outreach Colorado, the Colorado Solar and Storage Association/the Solar Energy Industries Association, Molson Coors Beverage Company, Climax Molybdenum Company, Vote

¹ The amount of \$1,828,985,415 was approved in Proceeding No. 20AL-0268E and \$6,600,000 for the Electric Affordability Program was allowed in Proceeding No. 20AL-0090E.

Solar, Colorado Energy Consumers, Southwest Energy Efficiency Project, the Federal Executive Agencies, Walmart Inc., Kroger Co., and the Local Governments².

8. Decision No. R20-0922-I (issued on December 29, 2020) *inter alia* adopted a procedural schedule with certain filing dates and set an evidentiary hearing for May 3 through 7 and 10 through 14, 2021. This decision also advised Parties, who elected to defer to the ALJ as to the date(s) and actual locations(s) of for the public comment hearings which they requested be held in the cities of Denver and Grand Junction, that a separate decision would be issued regarding whether the public comments hearings would be held remotely or in-person and for what date(s) they would be scheduled. By Decision No. R21-0095-I (issued on February 22, 2021), the procedural schedule was further refined and the evidentiary hearing in this Proceeding was set as a remote hearing consistent with public health advisories to prevent the spread of COVID-19.

9. Pursuant to Executive Orders issued by Governor Polis and the Emergency Remote-Workforce Plan issued by the Department of Regulatory Agencies (DORA) in response to the novel coronavirus COVID-19 pandemic, Commission personnel are required to work remotely and cannot return to the Commission's offices and hearing rooms until at least July 12, 2021. DORA may extend its Emergency Remote-Workforce Plan beyond that date, if necessary. The building in which the DORA and Commission offices are located remains closed to the public.

² According to the Motion to Intervene filed on December 9, 2020 by the Cities of Arvada, Aurora, Centennial, and Thornton, the Towns of Erie and Windsor, and the Colorado Communications and Utility Alliance (collectively, Local Governments), the members of the Colorado Communications and Utility Alliance are: Adams County, Adams 12 Five Star Schools, Arapahoe County, Arvada, Aspen, Aurora, Bennett, Boulder, Breckenridge, Brighton, Broomfield, Burlington, Castle Pines, Castle Rock, CDOT ITS Branch, Centennial, Central City, Cherry Hills Village, Colorado Springs, Columbine Valley, Commerce City, Dacono, Denver, Douglas County, Durango, Eagle County, Eagle, Edgewater, Englewood, Erie, Estes Park, Federal Heights, Firestone, Fort Collins, Frederick, Glendale, Golden, Grand Junction, Greeley, Greenwood Village, Idaho Springs, Jefferson County Public Schools, Lafayette, Lakewood, Littleton, Lone Tree, Longmont, Louisville, Loveland, Montrose, Northglenn, Paonia, Parker, Pitkin County, Region 10 LEAP Inc., Salida, Sheridan, Southwest Colorado Council of Governments, Thornton, Westminster, Wheat Ridge, Windsor, and Wray.

Presently, Commission personnel are not authorized to hold in-person hearings and may not travel to out-of-town locations for in-person hearings.

10. Due to these developments, the continuing uncertainty regarding any in-person Commission activities, and the Colorado State government and the Commission's continued commitment to manage the challenges of the COVID-19 pandemic safely and effectively, the ALJ finds that the public comment hearing in this Proceeding will be held remotely by video conference. The ALJ also finds that holding this public comment hearing remotely is consistent with public health advisories to prevent the spread of COVID-19 and is in the public interest.³

B. Remote Public Comment Hearing

11. Under these circumstances, the public comment hearing must be conducted as a remote hearing in which all participants will appear from remote locations, as provided below. Based on the above discussion, the ALJ concludes that it is in the best interests of the Parties and the public to hold the hearing in this Proceeding as a remote hearing using a video conference platform. Members of the public should *not* attend the public comment hearing in person.

12. The Commission uses the web-hosted video conferencing service Zoom to hold remote video hearings. **Attachment A** to this Decision provides important requirements and technical information for participating in the remote public comment hearing using Zoom. It is important that participants carefully review and follow all requirements in this Decision and in Attachment A.

13. **To Participate by Computer.** Any customer of Public Service who wishes to participate in the public comment hearing by computer must use a computer that is connected to

³ The ALJ has selected May 16, 2021 from 4 to 6 p.m. as the date for the public comment hearing, because it is a previously scheduled hearing date which counsel and the Parties should already have reserved in their calendars.

the internet and has a microphone and a speaker. At the time of the hearing, please go to <https://zoom.us/j/92639385911?pwd=ODBuSTRqNkZZdWtwdmtJaXVNZ0lsdz09> **When you are not speaking, please mute your microphone.**

14. **To Participate by Telephone.** Any customer of Public Service who wishes to provide comments by telephone during the remote public hearing must call one of the telephone numbers listed in Ordering Paragraph No. 1 below when the hearing takes place. When prompted, input the Meeting ID Number 926-3938-5911 followed by the pound (#) key. Next, when prompted again, you may enter your participant ID if you have one with an associated Zoom account or, if not, simply press the pound (#) key. Finally, when prompted, enter the Meeting Passcode 650090, followed by the pound (#) key. You will then be placed into the public comment hearing. Please note that your session and participation will be controlled by the ALJ and or his staff and that any disruption or failure to abide by any rules set by the ALJ at the time of the hearing will result in dismissal from the hearing. **When you are not speaking, please mute your telephone.**

15. **To observe by Webcast.** The ALJ anticipates that the public comment hearing will be webcast, consistent with Commission practice. This means that those persons wishing to observe the public hearing may do so without needing to join the hearing online or by telephone. Please use the audio or video connection for Hearing Room A found at <https://puc.colorado.gov/webcasts>.

16. Customers of Public Service are reminded that written comments in this Proceeding will continue to be accepted in lieu of oral comments at the public comment hearing. The ALJ has read all written public comments submitted to the Commission as of the mailed date of this Decision and will review any written public comments submitted after that date. Those customers

who have already submitted written comment do not need to attend the public comment hearing to offer these comments orally. Finally, those customers who choose to offer oral comment at the public comment hearing, are encouraged to exit the Zoom session once they have offered their comments, and they may continue observing the public comment hearing via the Webcast per the link in the paragraph above.

II. **ORDER**

A. **It is Ordered That:**

1. A remote public comment hearing is scheduled in this Proceeding, as follows:

DATE: May 13, 2021

TIME: 4:00 p.m. until concluded, but no later than 6:00 p.m. (MST)

FOR WEBCASTS: Hearing Room A

METHOD: Join Zoom⁴ video conference at the following link:

<https://zoom.us/j/92639385911?pwd=ODBuSTRqNkZZdWtwdmJtJmVhZ0lsdz09>

Meeting ID: 926 3938 5911

Passcode: p2wwCT

One tap mobile

+13462487799,,92639385911#,,, *650090# US (Houston)

+16699006833,,92639385911#,,, *650090# US (San Jose)

OR Join by telephone:

Dial by your location

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

Meeting ID: 926 3938 5911

⁴ Additional information about the Zoom platform and how to use the platform is available at: <https://zoom.us/>. All are strongly encouraged to participate in a test meeting prior to the scheduled hearing. See <https://zoom.us/test>.

Passcode: 650090

Find your local number: <https://zoom.us/j/9151270864>

2. At the above date and time, customers of Public Service Company of Colorado (Public Service) who wish to present oral comments on the rate case filing in this Proceeding will participate remotely by using the Zoom video conference platform as described in this Decision and Attachment A thereto. To participate in the remote public hearing, participants shall follow the procedures set forth in **Attachment A** to this Decision.

3. The Administrative Law Judge will call upon persons who have indicated they wish to present oral comments. The length of time allotted to each speaker will depend on the number of persons who have indicated they wish to speak.

4. An individual who is a representative of any Party in this Proceeding, or who is employed by or affiliated with any intervenor, will not be permitted to present comments at the public comment hearing.

5. This Interim Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

STEVEN H. DENMAN

Administrative Law Judge

ATTEST: A TRUE COPY

Doug Dean, Director