

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 21A-0192EG

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR RECOVERY OF COSTS ASSOCIATED WITH THE FEBRUARY 2021 EXTREME WEATHER EVENT FOR ITS ELECTRIC AND GAS UTILITIES.

**INTERIM COMMISSION DECISION ADDRESSING
MOTION OF PUBLIC SERVICE COMPANY OF
COLORADO TO IMPLEMENT RATES TO RECOVER
EXTRAORDINARY GAS COSTS EFFECTIVE AUGUST 15,
2022 AND UNOPPOSED REQUEST FOR SHORTENED
RESPONSE TIME TO AUGUST 8, 2022**

Mailed Date: August 10, 2022

Adopted Date: August 10, 2022

I. BY THE COMMISSION

A. Statement

1. On August 3, 2022, Public Service Company of Colorado (Public Service or Company) filed a Motion to Implement Rates to Recover Extraordinary Gas Costs effective August 15, 2022 and Unopposed Request for Shortened Response Time to August 8, 2022 (Motion).

2. This Decision grants the Motion, allows for the implementation of rates with an effective date of August 15, 2022 to recover the extraordinary gas costs at issue in this Proceeding, and waives response time to the unopposed Motion.

B. Discussion

3. On May 17, 2021, Public Service initiated this Proceeding by filing its Verified Application for Recovery of Costs Associated with the February 2021 Extreme Weather Event for Its Electric and Gas Utilities (Application).

4. On May 11, 2022, ALJ Melody Mirbaba issued Recommended Decision No. R22-0279 (Recommended Decision).

5. By Decision No. C22-0413, the Commission addressed exceptions filed to the Recommended Decision. The Commission granted in part and denied in part the numerous exceptions to the Recommended Decision filed by the Office of the Utility Consumer Advocate (UCA) and Tiger Natural Gas, Inc.

6. In Decision No. C22-0413, the Commission modified the timing of cost recovery for the extraordinary gas costs the Company seeks to recover through the Extraordinary Gas Cost Recovery Rider (EGCRR). The Commission ordered the Company to file a compliance advice letter and authorized tariff sheets with an effective date no earlier than the end of the appeal window pursuant to § 40-6-115(1), C.R.S.¹

7. In its Motion, Public Service requests the Commission allow for the implementation of rates to recover the extraordinary gas costs, effective August 15, 2022. Public Service avers that it will not appeal Decision No. C22-0413. In support of its Motion, Public Service asserts that its ability to recover the extraordinary gas costs should not be further delayed by actions taken by any other parties to this Proceeding. It argues that the decision by another party to file an application for Rehearing, Reargument, or Reconsideration (RRR) or a judicial appeal is outside the Company's control. Public Service also notes that the true-up of the EGCRR every six months² as well as a final true-up at the end of the recovery period ensures the Company will recover the exact amount the Commission deems appropriate, even if that amount changes because of another party's application for RRR or judicial appeal.

¹ Decision No. C22-0413, at ¶ 99.

² See Recommended Decision No. R22-0279, at ¶ 86.

8. The Company also requests under Rule 1308(c) of the Commission's Rules of Practice and Procedure, 4 *Code of Colorado Regulations* 723-1, the Commission shorten response time to the Motion to August 8, 2022. It states that the Motion is unopposed, and that time is "of the essence" given the Company's request to implement rates effective August 15, 2022.³

9. On August 4, 2022, UCA filed a response to the Company's Motion. UCA states that it does not oppose the specific relief of allowing the Company to implement rates to recover costs through the EGCRF with an effective date of August 15, 2022. In its Response, UCA states that the issues raised in its application for RRR go to the amount of extraordinary gas costs the Company may recover, not to the basic structure or timing of the EGCRF.

C. Findings and Conclusions

10. We find that the request by Public Service in its Motion is reasonable and grant the Motion. In Decision No. C22-0413, we noted the importance of certainty to customers, the Commission, and the Company as to the magnitude of recovered costs prior to the commencement of the recovery of those costs.⁴ However, in this instance, we are persuaded that the ongoing true-ups of costs related to the EGCRF will provide some protection to ratepayers that tempers the need for certainty of the total magnitude prior to commencement of recovery. Further, because this Motion is unopposed, we find it appropriate to grant the Company the relief sought.

11. In its Motion, the Company requests the Commission shorten response time to August 8, 2022. This request is moot; however, because the Motion is unopposed, response time to this Motion is waived.

³ Motion, at ¶ 24.

⁴ Decision No. C22-0413, at ¶ 100.

II. ORDER

A. The Commission Orders That:

1. The Motion of Public Service Company of Colorado to Implement Rates to Recover Extraordinary Gas Costs effective August 15, 2022 and Unopposed Request for Shortened Response Time to August 8, 2022 (Motion), filed on August 3, 2022, by Public Service Company of Colorado (Public Service or Company) is granted. The Company may make the appropriate filings to effectuate the rates to recover the extraordinary gas costs as necessary to have an August 15, 2022 effective date. Response time to the Motion is waived.

2. The Company shall file, on not less than two business days' notice, a compliance advice letter and all tariff sheets authorized in this Proceeding. The advice letter and tariff must comply in all substantive respects to this Decision to be filed as a compliance filing on shortened notice. The compliance filings must be made in a new advice letter proceeding and comply with all applicable rules.

3. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
August 10, 2022.**

(S E A L)



ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Doug Dean".

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ERIC BLANK

JOHN GAVAN

MEGAN M. GILMAN

Commissioners