

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO**

PROCEEDING NO. 22M-0444W

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IN THE MATTER OF ESTABLISHING THE INTEREST RATE ON CUSTOMER DEPOSITS  
TO BE PAID BY JURISDICTIONAL WATER UTILITIES FOR CALENDAR YEAR 2023.

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**DECISION SETTING THE INTEREST RATE FOR 2023**

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Mailed Date: October 21, 2022

Adopted Date: October 19, 2022

**I. BY THE COMMISSION**

**A. Statement**

1. Pursuant to Commission Rule 5403 of the Rules Regulating Water Utilities, 4 *Code of Colorado Regulations* 723-5, a jurisdictional water utility may require a new or existing customer to pay a deposit if billing records are available and records indicate recent or substantial delinquencies. Payment of the deposit shall not relieve the customer of the obligation to pay current bills when due.

2. When a jurisdictional water utility accepts the deposit, it is obligated to pay simple interest on the amount paid at a percentage rate calculated by the Commission Staff in the manner described in Rule 5403(n)(II).

3. Provisions of Rule 5403(n)(II) requires the Commission's Staff to calculate the customer deposit interest rate using a 12-month average of rates quoted in the Federal Reserve Bulletin United States Treasury constant maturities for the period October 1 through September 30 of the preceding year. This newly calculated simple interest per annum rate is compared to the existing customer deposit rate. If the difference is 25 basis points or more, then the new rate is to be used beginning January 1 of the following year. This provision is applicable as the existing rate

for calendar year 2022 is .08 percent, and the newly calculated rate for 2023 is 1.69 percent. Accordingly, the newly calculated simple interest per annum rate for water utilities accepting customer deposits is greater than the 25 basis point differential threshold and a new rate for 2023 is necessary. Thus, the interest rate on customer deposits for the year 2023 will increase to 1.69 percent.

4. If necessary, a utility shall file a new advice letter and tariff on not less than two business days' notice. The advice letter and tariff shall be filed as a new advice letter proceeding and shall comply with all applicable rules. In calculating proposed effective date, the date the filing is received at the Commission is not included in the notice period and the entire notice period must expire prior to the effective date. The advice letter and tariff must comply in all substantive respects to this decision in order to be filed as a compliance filing on shortened notice.

## **II. ORDER**

### **A. The Commission Orders That:**

1. The simple interest rate on deposits to be paid by jurisdictional water utilities for the calendar year 2023 shall increase to 1.69 percent.

2. To the extent necessary, utilities shall modify their tariffs to comply with this Decision. The compliance filing will be filed as a new advice letter filing and will not be filed in the Proceeding number of this decision. An advice letter and tariff change may not be required.

3. Pursuant to Rule 5420 of the Rules Regulating Water Utilities, 4 *Code of Colorado Regulations* 723-5, utilities failing to file the required compliance filing could be subject to up to a \$500.00 fine.

4. Additional information concerning required action is set forth in the accompanying notice. If you have any questions, please contact Sandi Kahl, Financial Analyst, at 303-894-2873 or Sandi.Kahl@state.co.us.

5. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING,  
October 19, 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

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JOHN GAVAN

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MEGAN M. GILMAN

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Commissioners