

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 20M-0251E

IN THE MATTER OF THE COMMISSION'S IMPLEMENTATION OF SECTION 40-3-118,
C.R.S., REGARDING A SURVEY OF ELECTRIC UTILITY RETAIL RATES.

**INTERIM DECISION OF
HEARING COMMISSIONER
MEGAN GILMAN
ISSUING PART TWO SURVEY QUESTIONS**

Mailed Date: August 13, 2020

I. STATEMENT

1. On June 18, 2020, the Commission issued Decision No. C20-0451 opening this Proceeding to explore electric utility retail rates and submit a report to the Senate Transportation and Energy Committee and the House of Representatives Energy and Environment Committee by February 1, 2021, as required by § 40-3-118, C.R.S. In Decision No. C20-0451, the Commission stated that the purpose of this Proceeding is to address the requirements of § 40-3-118, C.R.S., and that this Proceeding will serve as a platform from which to conduct stakeholder meetings, pose questions, discuss process, and issue orders.

2. Section 40-3-118(1), C.R.S., directs the Commission as follows:

(a) The commission shall open a nonadjudicatory proceeding to conduct a survey of electric public utility retail rates and specifically consider recommendations that would result in rate relief in certificated electric utility territories with retail rates materially greater than the state average. The commission shall determine the minimum percentage by which a retail rate that exceeds the state average rate qualifies as a materially greater rate.

(b) As used in this section, "public utility" does not include a cooperative electric association, as defined in § 40-9.5-102.

3. In Decision No. C20-0451, the Commission explained that it intends to conduct the survey required by § 40-3-118(1), C.R.S., in two parts. Part One gathered basic information on retail rates, and Part Two will gather information on factors that may provide context and meaningful correlations with retail rates. Part One survey questions were attached to Decision No. C20-0451 and were sent to investor-owned utilities, municipal utilities and cooperative electric associations, with responses due by July 10, 2020. Additionally, investor-owned utilities were required to provide an updated and current customer impact study by July 10, 2020.

4. Decision No. C20-0451 also requested comment on Part Two survey question topics by July 10, 2020, and stated that Staff of the Colorado Public Utilities Commission (Staff) was considering the following topics: debt profiles of retail electricity providers, generation profiles, and customer density. Reply comments concerning Part Two survey questions were required by July 24, 2020.

5. This Decision issues Part Two survey questions to gather information on factors that may provide context and meaningful correlations with retail rates.

A. Discussion

6. Decision No. C20-0451 established that the purpose of this Proceeding is to address the requirements of § 40-3-118(1), C.R.S., specifically to conduct a survey of electric public utility retail rates, identify a state average to determine whether a utility has rates that are materially greater than the average, and to submit the required report to the Senate Transportation and Energy Committee and the House of Representatives Energy and Environment Committee. The decision noted that providing context for a statewide average would benefit this Proceeding and the ultimate report on the retail rate survey.

7. The comments and reply comments concerning Part Two survey question topics have been reviewed, and these comments have been considered in the drafting of Part Two survey questions. Topics that were referenced in Decision No. C20-0451, including debt profiles of retail electricity providers, generation profiles, and consumer density, have also been included in the Part Two survey questions.

8. The Part Two survey questions are attached to this Decision as Attachment A. These survey questions are intended to provide context for and meaningful correlations with retail rates and the statewide average retail rate. To the extent that entities such as municipal utilities and cooperative electric associations wish to respond to the Part Two survey questions, such voluntary participation is welcome and encouraged to enable the Commission to develop a robust record. Investor-owned utilities are directed to respond to the questions, including the third page which is specific to the investor-owned utilities, by August 28, 2020, and voluntary responses from municipal utilities and cooperative electric associations should also be submitted by that date.

9. Staff will compile survey replies and intends to put forward for participant comment the survey results from Part One and Part Two and some topics of potential rate relief by September 2020, with an opportunity for participants to propose additional recommendations for rate relief by means of public comment and a workshop in October. It is anticipated that all survey parts, comment periods and workshops will be completed by the end of October 2020, in order to prepare the Retail Rate Survey Report by the February 1, 2021 deadline.

II. ORDER

A. It Is Ordered That:

1. Responses to the survey questions attached to this Decision as Attachment A, including voluntary responses from municipal utilities and cooperative electric associations, shall be filed by August 28, 2020.

2. This Decision is effective immediately.

(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

MEGAN M. GILMAN

Hearing Commissioner