

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 20R-0349EG

IN THE MATTER OF THE PROPOSED RULES REGARDING IMPLEMENTATION
OF SENATE BILL 20-030 AND THE REVISION OF DISCONNECTION STANDARDS
FOR ELECTRIC AND GAS UTILITIES PURSUANT TO 4 CODE OF COLORADO
REGULATIONS 723-3 AND 723-4.

**INTERIM DECISION
OF ADMINISTRATIVE LAW JUDGE
MELODY MIRBABA
PROVIDING ADDITIONAL INFORMATION ON
OCTOBER 20, 2020 REMOTE RULEMAKING HEARING**

Mailed Date: September 4, 2020

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I. STATEMENT AND BACKGROUND

1. This proceeding was initiated in response to Senate Bill 20-030, which requires the Commission to consider modifications to electric and gas utilities' disconnection standards and electric utilities' programs providing medical exemptions from tiered electric rates. By Decision No. C20-0622, issued August 27, 2020, the Commission issued a Notice of Proposed

Rulemaking (NOPR) to amend its Rules Regulating Electric Utilities, 4 *Code of Colorado Regulations* (CCR) 723-3 (Electric Rules) and Rules Regulating Gas Utilities and Pipeline Operators, 4 CCR 723-4 (Gas Rules). The NOPR was accompanied by proposed Electric Rules and Gas Rules in legislative and clean format.

2. Concurrently, the Commission referred this proceeding to an Administrative Law Judge (ALJ). Decision No. C20-0622. The NOPR provides public notice of the hearing, which will take place by video-conference, using GoToMeeting's video conferencing platform, on Tuesday, October 20, 2020 starting at 9:00 a.m. *Id.* The NOPR states that instructions on how to participate in the video-conference hearing will be provided in a separate decision. *Id.* at Ordering ¶ 5. This Decision and Attachment A hereto provides instructions and direction to participate in the remote public hearing. It also provides guidance on submitting public comments in this proceeding.

II. WRITTEN PUBLIC COMMENTS.

3. The Commission prefers written comments over oral comments. As a result, interested persons are encouraged to submit written comments through either: (a) the Commission's Electronic Filing System at <https://www.dora.state.co.us/pls/efi/EFI.homepage> in this proceeding; or (b) the Commission's website at <https://puc.colorado.gov/> by clicking on the "FILE A COMMENT OR COMPLAINT" link. Both oral and written comments will be given the same weight in this proceeding. Interested persons are urged to submit their written comments by October 8, 2020, to give the ALJ an opportunity to review them in advance of the remote rulemaking hearing.

4. Individuals who wish to provide oral comments must participate in the remote public rulemaking hearing by telephone or video-conference (as explained below). Anyone wishing to submit documents in addition to their oral comments must submit those in the same manner described above for written comments.

III. OBSERVING OR PARTICIPATING IN RULEMAKING HEARING.

5. Consistent with Commission practice, the October 20, 2020 rulemaking hearing will be webcast on the Commission's website. Persons wishing to observe, but not participate in the hearing may do so by observing the webcast of the rulemaking hearing, and need not join the hearing by telephone or video-conference. To observe the rulemaking hearing by webcast, enter this link in the web browser <https://puc.colorado.gov/webcasts> and select the audio or video option for Hearing Room A found on the date and time of the hearing. The ALJ encourages interested persons who do not wish to provide comments during the hearing to observe the hearing through the webcast because this will help minimize background noise during the hearing, and may assist in the orderly progression of the hearing.

6. As the Commission ordered, rather than holding the rulemaking hearing in-person, the hearing will be held using the web-hosted video conferencing service, GoToMeeting. For those who wish to provide oral comments during the hearing, video-conference participation is encouraged because it allows for the hearing to be held in a manner most similar to in-person hearings. Nevertheless, interested persons have the option to participate by telephone or by video-conference.

7. During the public rulemaking hearing, the ALJ will take action as necessary to facilitate a clear and understandable record, and to ensure the orderly progress of the hearing. For

the same reasons, all participants are required to: (a) mute their microphone during the hearing until called upon by the ALJ; (b) ensure they are participating from a location with minimal or no background noise; and (c) not connect to the hearing using multiple devices located in the same room (which will cause audio feedback). Participants are encouraged to use a headset to listen to the hearing, as this may also help avoid background noise and feedback when they speak.

A. Telephone Participation.

8. Any member of the public who wishes to provide comments by telephone during the remote public rulemaking hearing must call +1 (872) 240-3212 at the date and time of the hearing (October 20, 2020 at 9:00 a.m.). When prompted, input the pin 782-943-421, which will then connect the call to the public rulemaking hearing.

B. Video-Conference Participation.

9. Any member of the public who wishes to participate in the public rulemaking hearing by video-conference must use a computer, smart phone, or tablet that is connected to the internet and has an operational microphone, speaker, and camera. At the date and time of the hearing, (October 20, 2020 at 9:00 a.m.), video-conference participants must enter the following link in their internet browser: <https://app.gotomeeting.com/?meetingId=782943421>. Anyone having difficulty with this link may instead using the following link: <https://www.gotomeeting.com/meeting/join-meeting>, and enter this meeting ID number in the space provided for the meeting ID: 782943421. Participants are required to input their full name when prompted to do so. This will allow the ALJ to call on participants to provide oral comments in an orderly fashion.

10. Attachment A to this Decision provides step-by-step technical instructions and requirements to participate by video-conference using a computer. This is intended to ensure that the remote hearing proceeds efficiently. Hence, it is important that video-conference participants carefully review and follow all requirements in this Decision and Attachment A.

IV. ORDER

A. It Is Ordered That:

1. Consistent with Decision No. C20-0622, the remote public rulemaking hearing scheduled for October 20, 2020 will start at 9:00 a.m. and continue until it is concluded. Members of the public should *not* attend the public rulemaking hearing in-person.

2. Members of the public who wish to participate in the remote public rulemaking hearing must follow the requirements in this Decision and Attachment A, which is incorporated into this Decision. Interested persons may participate by telephone or video-conference using the information provided in this Decision. Participants are required to enter their full name when prompted to do so through GoToMeeting.

3. Members of the public who wish to provide written comments may do so by following the instructions in this Decision.

4. The Administrative Law Judge may schedule additional hearings if necessary.

5. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

MELODY MIRBABA

Administrative Law Judge

ATTEST: A TRUE COPY

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

Doug Dean,
Director