

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

PROCEEDING NO. 20M-0267EG

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IN THE MATTER OF THE COMMISSION'S IMPLEMENTATION OF SENATE BILL 20-030  
RELATING TO INCREASED CONSUMER PROTECTIONS FOR INVESTOR OWNED  
UTILITIES.

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**INTERIM DECISION OF  
HEARING COMMISSIONER  
JEFFREY P. ACKERMANN  
SUBMITTING REPORT**

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Mailed Date: December 7, 2020

**I. STATEMENT**

1. On June 19, 2020, the Commission opened this Proceeding by Decision No. C20-0452, both to collect information that could inform the issuance of a Notice of Proposed Rulemaking in response to Senate Bill (SB) 20-030, which has since been issued,<sup>1</sup> and to understand regulated utilities' activities related to the coronavirus (COVID-19) pandemic.

2. On September 1, 2020, the Commission issued Decision No. C20-0636-I, which acknowledged the unusual and concerning circumstances of the COVID-19 pandemic and summarized the responsive actions taken by regulated utilities, the Commission, other branches of government, and other stakeholders related to public safety and energy affordability. Accordingly, the Commission continued this Proceeding, assigned Chairman Jeffrey P. Ackermann as Hearing Commissioner,<sup>2</sup> and refined its objectives related to COVID-19 as follows:

- Develop a body of knowledge on how COVID-19 is changing or may change how energy is consumed in Colorado, particularly as it pertains to consumers and their ability to pay, and its implications for utility revenues;

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<sup>1</sup> Decision No. C20-0622, issued August 27, 2020, Proceeding No. 20R-0349EG.

<sup>2</sup> Pursuant to § 40-6-101(2), C.R.S.

- Explore, using available data regarding ability-to-pay issues, how creativity in bill collection can increase customer retention while minimizing negative impacts and potentially leading to net-beneficial outcomes;
- Provide a forum for collaborative work to identify what actions utilities can take concerning creativity and flexibility in payment assistance options; and
- Understand whether specific regulatory actions or approvals are required related to the utility's role in economic recovery, with a focus on actions that can be taken quickly, outside existing proceedings.

3. Decision No. R20-0466-I, issued September 16, 2020, required regulated utilities to submit monthly reports on delinquencies and disconnections. The Decision also sought written comments on whether there are creative options to navigate economic challenges that customers may be experiencing due to the ongoing coronavirus (COVID-19) pandemic. In particular, comments were sought regarding how bill assistance is prioritized; whether eligibility requirements are creating challenges to program enrollment; and whether there are additional actions regulated utilities could take beyond current practices in order to reduce the risk of residential and small business disconnections as the COVID-19 pandemic continues.

4. This Decision submits a report authored by the National Consumer Law Center (NCLC), as contracted by the Commission, related to low-income bill assistance and COVID-19 consumer protections.

**A. Discussion**

5. Earlier this year, the Commission engaged NCLC to develop a report on options to protect low-income customers as energy rates change. NCLC is a policy analysis and advocacy nonprofit with expertise in consumer law and energy, and is headquartered in Boston, Massachusetts.

6. NCLC submitted its responsive report, titled “Utility Bill Affordability in Colorado: Reforms to Protect Low-Income Consumers from Increasing Rates,” to the Commission on October 28, 2020. The report includes analysis on Colorado low-income energy assistance programs, low-income specific rates, and examples of COVID-19 consumer protection practices that are relevant to this Proceeding. This report is incorporated as Attachment A to this Decision and will be posted in E-Filings as part of the record.

## II. ORDER

### A. It Is Ordered That:

1. “Utility Bill Affordability in Colorado: Reforms to Protect Low-Income Consumers from Increasing Rates,” by the National Consumer Law Center, is submitted into this Proceeding as Attachment A to this Decision.

2. This Decision is effective immediately.

(S E A L)



ATTEST: A TRUE COPY

Doug Dean,  
Director

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

JEFFREY P. ACKERMANN

Hearing Commissioner