

Decision No. C14-0278-I

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

PROCEEDING NO. 14V-0188E

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IN THE MATTER OF THE PETITION OF PUBLIC SERVICE COMPANY OF COLORADO FOR A VARIANCE FROM THE REQUIREMENT THAT IT FILE A 2015-2017 RENEWABLE ENERGY STANDARD COMPLIANCE PLAN ON OR BEFORE MARCH 14, 2014 AND A WAIVER FROM RULE 1206(D) TO SHORTEN COMMISSION NOTICE AND INTERVENTION PERIOD TO MARCH 4, 2014.

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**INTERIM DECISION GRANTING INTERVENTION OF  
THE ALLIANCE FOR SOLAR CHOICE AND GRANTING  
EXTENSION OF TIME FOR PUBLIC SERVICE  
COMPANY OF COLORADO TO FILE ITS NEXT  
RENEWABLE ENERGY STANDARD PLAN**

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Mailed Date: March 12, 2014  
Adopted Date: March 12, 2014

**I. BY THE COMMISSION**

**A. Statement**

1. This matter comes before the Commission for consideration of the Petition filed by Public Service Company of Colorado (Public Service or Company) on February 28, 2014 for a Variance from the Requirement that It File a 2015-2017 Renewable Energy Standard (RES) Compliance Plan on or Before March 14, 2014 and a Partial Waiver from Rule 1206(d) to Shorten Commission Notice and Intervention Period to March 4, 2014.

2. Public Service states that it is presently required to file a 2015-2017 RES Plan on or before March 14, 2014. Decision No. C13-0275, Proceeding No. 13V-0085E issued March 1, 2013, ¶ 13. Public Service requests an extension of time to file its 2015 RES Plan up to and including 60 days after a Commission final decision on its 2014 RES Plan, Proceeding No. 13A-0836E. Public Service states that numerous issues remain currently in dispute in the

2014 RES Plan proceeding and that Commission determinations on some of the issues in the 2014 RES Plan will impact the issues in the next RES Plan.

3. In addition, the Company asks that the Commission separate the RES Plan for compliance years 2016 and 2017 from the 2015 RES Plan filing, so that Commission decisions in the future proceeding on net metering issues can be taken into account when looking at years 2016 and 2017. In support of that request, Public Service points out that the Commission recently stated that a careful review of the net metering issues will likely continue into 2015.<sup>1</sup>

5. By Decision No. C14-0243-I, mailed March 6, 2014, the Commission shortened the notice and intervention period to the petition to March 7, 2014.

6. The Alliance for Solar Choice (TASC) filed a motion to intervene by permission on March 7, 2014. TASC seeks to intervene in this proceeding to support regulatory policies that allow various classes of ratepayers to choose on-site solar generation for a portion of their electric energy supply.

7. While TASC does not oppose Public Service's proposal to postpone the next RES Plan filing, it opposes the proposal to split the 2015-2017 RES Plan into a 2015 RES Plan and a 2016-2017 RES Plan. TASC argues that Public Service bases this proposal on a notion that a 2016 and 2017 RES Plan should be informed by the Commission's future proceeding on issues related to net metering. TASC points out that the Commission has not yet issued a decision addressing scope, process, and timing of the new proceeding to address net metering issues. TASC argues that it is not yet clear when the Commission expects the new proceeding to conclude and whether this proceeding will yield results useful to a future RES Plan. TASC contends that, without a better understanding of the process, scope and timing of the new net

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<sup>1</sup> Decision No. C14-0219-I, ¶ 45, mailed February 27, 2014 in Proceeding No. 13A-0836E.

metering proceeding, the proposal to separate the 2015-2017 RES Plan into a 2015 RES Plan and a 2016-2017 RES Plan is premature. Thus, TASC requests the Commission not act on this proposal until it has issued further guidance regarding the new net metering proceeding, and parties have a sufficient opportunity to respond to this proposal.

8. We find good cause to grant TASC's motion to intervene by permission.

9. We also find good cause to grant Public Service's unopposed request to extend the time to file its next RES Plan up to and including 60 days after a Commission final decision on its 2014 RES Plan, Proceeding No. 13A-0836E. We agree with the Company that our decisions on the issues disputed in the 2014 RES Plan may impact the next RES Plan. Thus, we vacate the March 14, 2014 filing date contained in Decision No. C13-0275, ¶ 13.

10. Finally, we agree with TASC that Public Service's proposal to separate the 2015-2017 RES Plan into a 2015 RES Plan and a 2016-2017 RES Plan is premature at this time. After determining the scope, process, and timing of the new net metering proceeding, we will schedule a status conference in this proceeding to decide whether to separate the RES planning as Public Service proposes.<sup>2</sup> This status conference and our subsequent decision will occur before the issuance of a final decision in Proceeding No. 13A-0836E concerning the 2014 RES Compliance Plan.

## **II. ORDER**

### **A. It Is Ordered That:**

1. The motion to intervene by permission, filed on March 7, 2014 by The Alliance for Solar Choice is granted.

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<sup>2</sup> The Commission adopted a decision opening a new net metering proceeding at its March 12, 2014 weekly meeting. We will initiate that proceeding by collecting information from interested persons on the suggested purpose and structure of the proceeding. We anticipate issuing a decision on those points in May 2014.

2. The request for extension of time to file its next Renewable Energy Standard (RES) plan up to and including 60 days after a Commission final decision on its 2014 RES Plan, Proceeding No. 13A-0836E, contained in the Petition filed by Public Service Company of Colorado (Public Service) on February 28, 2014 is granted. The requirement for Public Service to file its next RES plan on March 14, 2014 is vacated.

3. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
March 12, 2014.**

(S E A L)



ATTEST: A TRUE COPY

Doug Dean,  
Director

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

JOSHUA B. EPEL

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PAMELA J. PATTON

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GLENN A. VAAD

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Commissioners