

Decision No. R16-0034-E

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 15R-0699E

IN THE MATTER OF THE PROPOSED AMENDMENTS TO THE RULES REGULATING ELECTRIC UTILITIES 4 CODE OF COLORADO REGULATIONS 723-3, INCLUDING AMENDMENTS TO THE RULES IMPLEMENTING THE RENEWABLE ENERGY STANDARD PURSUANT TO SENATE BILLS 15-046 AND 15-254 AND HOUSE BILLS 15-1284 AND 15-1377.

ERRATA NOTICE

**RECOMMENDED DECISION
OF ADMINISTRATIVE LAW JUDGE
G. HARRIS ADAMS
AMENDING RULES**

Errata Notice mailed January 27, 2016
Original Decision R16-0034 mailed January 15, 2016

1. Paragraph II.2.10. of Decision No. R16-0034 shows “eligibility for energy assistance will be provided at 165 percent of the federal poverty level, rather than 18 percent”, as follows:

10. The NOPR included several proposed modifications regarding low income assistance. Some modifications are incorporated and recommended for adoption to implement existing practice and improve the rules. Illustratively, consistent with current waivers granted by the Commission and coordinated programs, eligibility for energy assistance will be provided at 165 percent of the federal poverty level, rather than **18 percent**. However, as commenters suggest, most substantive provisions will not be modified at this time.

(Emphasis added.)

This Decision, rather, proposed modification of the current eligibility which is at “185 percent” of the federal poverty level, not “18 percent” that is shown in paragraph II.2.10. Correct paragraph II.2.10. by replacing “18 percent” with “185 percent” so that that paragraph reads:

10. The NOPR included several proposed modifications regarding low income assistance. Some modifications are incorporated and recommended for adoption to implement existing practice and improve the rules. Illustratively, consistent with current waivers granted by the Commission and coordinated programs, eligibility for energy assistance will be provided at 165 percent of the federal poverty level, rather than **185 percent**. However, as commenters suggest, most substantive provisions will not be modified at this time.

(Emphasis added.)

2. Correct the proposed, amended rules in the legislative format, Attachment A, and reflect these corrections in the final format, Attachment B, of Decision No. R16-0034 as follows:

Provide a better reading of subparagraph 3002(a)(V) which reads:

(V) ~~To~~ transfer a certificate of public convenience and necessity, to obtain a controlling interest in any utility, to transfer assets within the jurisdiction of the Commission or stock, or to merge a utility with another entity, as provided in rule 3104-;

by replacing “transfer a certificate” with “transfer of a certificate”, so that subparagraph reads:

(V) ~~To~~ transfer **of** a certificate of public convenience and necessity, to obtain a controlling interest in any utility, to transfer assets within the jurisdiction of the Commission or stock, or to merge a utility with another entity, as provided in rule 3104-;

(Emphasis added.)

Provide a better reading of subparagraph 3002(a)(XIX) which reads:

(XIX) ~~For~~ any other matter not specifically described in this rule, unless such matter is required to be submitted as a petition under rule 1304, as a motion, or as some other specific type of submittal.

by striking “**any other**”, so that subparagraph reads:

(XIX) ~~For any other~~ matter not specifically described in this rule, unless such matter is required to be submitted as a petition under rule 1304, as a motion, or as some other specific type of submittal.

Correct the grammar of subparagraph 3006(b) which reads:

(b) If a certified public accountant prepares an annual report for a utility, the utility either shall file two copies of the report with the Commission or shall file it through the Commission's E-Filings System within 30 days after publication.

by replacing “filed” with “file it” so that subparagraph reads:

(b) If a certified public accountant prepares an annual report for a utility, the utility either shall file two copies of the report with the Commission or shall file it through the Commission's E-Filings System within 30 days after publication.

(Emphasis added.)

Clarify terminology “of service” in subparagraph 3006(c) which reads:

(c) A cooperative electric association shall file with the Commission a report listing its designation of service.

by inserting “of process” at the end of that subparagraph so that subparagraph reads:

(c) A cooperative electric association shall file with the Commission a report listing its designation of service of process.

(Emphasis added.)

3. Corrected pages 15, 16 and 20 of Attachment A and pages 14, 15 and 20 of Attachment B of Decision No. R16-0034 are attached for reference.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

G. HARRIS ADAMS

Administrative Law Judge

ATTEST: A TRUE COPY

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

Doug Dean,
Director