

Decision No. C20-0465

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 20A-0204E

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR APPROVAL OF ITS 2021-2023 TRANSPORTATION ELECTRIFICATION PLAN.

**DECISION REQUIRING JOINT FILING
WITH BLACK HILLS COLORADO ELECTRIC, LLC
REGARDING WAIVER OF § 40-6-109.5(3), C.R.S. AND
PROCEDURAL RECOMMENDATIONS FOR
COMMISSION TO HEAR APPLICATIONS *EN BANC***

Mailed Date: June 24, 2020
Adopted Date: June 24, 2020

I. BY THE COMMISSION

A. Statement

1. On May 15, 2020, Public Service Company of Colorado (Public Service) filed its Application, requesting the Commission issue an order approving the proposals contained in its 2021- 2023 Transportation Electrification Plan (TEP) application. Public Service state's its TEP is intended to support Colorado's goal of attaining 940,000 Electric Vehicles (EVs) on the road by 2030 and to help position Colorado as a national leader in vehicle electrification.

2. Public Service states that its proposed TEP is designed to benefit drivers, customers, and the State by helping to reduce greenhouse gas emissions and air pollution, while keeping electric bills low and benefiting the electric grid. Public Service claims it will achieve these outcomes by fostering greater awareness of the opportunities and benefits of electric transportation; reducing barriers to adopting electric transportation; increasing access to the

benefits of electric transportation; and, encouraging EV charging in ways that reduce system costs and enable Public Service's vision to realize a 100 percent carbon free grid.

3. Public Service adds that the TEP is informed by considerations of equity, accessibility, and fairness. Public Service intends to provide community mobility services by supporting the electrification of buses, community-based and multi-family charging infrastructure, and installation of public EV charging stations that will support transportation for low-income customers. Public Service believes these efforts will also improve air quality, particularly in urban areas that are most affected by transportation-related emissions. Public Service organized the TEP into five portfolios, (1) Residential, (2) Multi-Unit Dwelling (MUD), (3) Commercial, (4) Research, Innovation, and Partnerships and (5) Advisory Services.

4. Senate Bill 19-077 requires each Colorado electric public utility to file with the Commission "an application for a program for regulated activities to support widespread transportation electrification" within their service territories for Commission approval by May 15, 2020. Senate Bill 19-077 offers a wide variety of regulated activities a utility can undertake to support its TEP. Public Service notes that the number of options present utilities many potential avenues to consider, Senate Bill 19-077 places a limit on how much a utility can invest to limit potential bill impacts. Specifically, Senate Bill 19-077 provides that the "retail rate impact from the development of electric vehicle infrastructure must not exceed one-half of one percent of the total annual revenue requirements of a utility".

5. On May 8, 2020, Black Hills Colorado Electric, LLC (Black Hills) filed its Application for Approval of its Transportation Electrification Plan, Ready EV, for Program Years 2021-2023 and for Related Tariff Approvals. Black Hills seeks approval of (1) its Application; (2) the Ready EV Plan, including its programs; (3) the Ready EV Plan budget; (4) the Company's

proposal to recover certain prudently-incurred costs associated with the Ready EV Plan through the DSMCA; (5) the proposed new time-of-day rate schedules governing EV charging for the residential class, the small general service class, and the large general service– secondary class; and (6) the tariff sheets.

6. Both applications were filed pursuant to Senate Bill 19-077 which requires each Colorado electric public utility to file with the Commission “an application for a program for regulated activities to support widespread transportation electrification” within their service territories for Commission approval by May 15, 2020.

7. At the June 24, 2020 Commissioners’ Weekly Meeting and by separate decision, we determined it appropriate to hear both applications *en banc*. In doing so, we found that both proceedings are on a near simultaneous procedural path which present several concerns. Hearing both matters in near real time stretches Commission resources to their brink. In addition, we are concerned that hearing similar applications at the same time may cause conflation of the issues and facts of each case resulting in unneeded confusion.

8. Therefore, the Commission finds it appropriate to stagger the proceedings, initiating one application, followed after a period of time by the second application. Initially we plan to hear the Public Service application first followed by Black Hills’ application. In order to conduct the proceedings in this manner, it would be necessary for Public Service and Black Hills to waive the statutory timelines for us to issue a decision in each proceeding pursuant to § 40-6-109.5(3), C.R.S.

9. However, prior to setting procedural schedules for each application, we prefer to hear from the parties after consultation with each other as to their proposal on how best to proceed considering each application. Public Service and Black Hills shall consult on a procedural

proposal to hear both applications and file a joint proposal by the close of business on Monday June 29, 2020. The proposal is to include discussion of waiver of the statutory deadlines under § 40-6-109.5(3), C.R.S.

II. ORDER

A. It Is Ordered That:

1. Public Service Company of Colorado (Public Service) shall consult with Black Hills Colorado Electric, LLC (Black Hills) on a proposed process for hearing each utility's application.

2. Public Service shall file jointly with Black Hills a proposed process for hearing each utility's application including consideration of each utility waiving the statutory deadline for the Commission to issue a decision pursuant to § 40-6-109.5(3), C.R.S.

3. Public Service and Black Hills shall file the joint proposal by the close of business on June 29, 2020.

4. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
June 24, 2020.**

(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

JEFFREY P. ACKERMANN

JOHN GAVAN

MEGAN M. GILMAN

Commissioners