

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 20V-0297E

IN THE MATTER OF THE VERIFIED PETITION OF PUBLIC SERVICE COMPANY OF COLORADO FOR ISSUANCE OF WAIVERS TO IMPLEMENT COMMISSION DIRECTIVES REGARDING PRODUCTION METERS.

**DECISION GRANTING
PETITION FOR WAIVER**

Mailed Date: August 19, 2020
Adopted Date: August 12, 2020

I. BY THE COMMISSION

A. Statement, Findings, and Conclusion

1. This matter comes before the Commission for consideration of a Petition for Partial Waivers of Rule 3402(a)(IV) of the Rules Regulating Electric Utilities, 4 *Code of Colorado Regulations* 723-3, Partial Waivers of Tariff Sheets 112A, 113B, 113E, 113F, 150, R39, R40, and R153, and a Full Waiver of Tariff Sheet 113C (Petition), filed by Public Service Company of Colorado (Public Service or the Company) on July 10, 2020.

2. The Petition requests partial waivers of several Public Service Electric Tariff provisions related to the use of production meters for new, on-site solar customers with system installations of 10 kW or less. The Company also requests a full Tariff waiver for all Solar*Rewards Small customers so that the Company may make Renewable Energy Credit (REC) incentive payments on an annual (rather than monthly) basis, in order to facilitate the transition away from production meters and allow the Company to realize other billing efficiencies.

3. Through its Petition, Public Service requests full or partial waiver of the following provisions within the Commission's Rules and Public Service's Electric Tariffs to implement its 2020-21 Renewable Energy Plan (2020-21 RE Plan) approved in Proceeding No. 19A-0369E by Decision Nos. R20-0099,¹ C20-0289,² and C20-0431³:

- a) Commission Rule 3402(a)(IV), 4 Code of Colorado Regulations (CCR) 723-3 - Public Service requests a partial waiver from the rule language for net-metered customers without production meters and only for the Renewable Energy Standard Adjustment (RESA) fair share charge.
- b) Tariff Sheet No. 112A - Public Service requests a partial waiver from certain language for systems 10 kW or less, regarding Public Service not mandating the installation of production meters for customer-owned on-site PV systems of 10 kW or less installed after June 8, 2020.
- c) Tariff Sheet No. 113B - Public Service requests a partial waiver from certain language for systems 10 kW or less installed after June 8, 2020, regarding Public Service not mandating the installation of production meters for customer-owned on-site PV systems of 10 kW or less installed after June 8, 2020.
- d) Tariff Sheet No. 113C - Public Service requests a full waiver from certain tariff language regarding monthly REC payments to allow it to make annual payments for all Solar*Rewards Small systems, both customer-owned and non-customer-owned, including participants in CEO's Low-Income rooftop solar WAP offering.
- e) Tariff Sheet No. 113E - Public Service requests a partial waiver from certain tariff language, regarding Public Service not requiring a production meter for systems 10 kW or less installed after June 8, 2020 that are paired with storage.
- f) Tariff Sheet No. 113F - Public Service requests a partial waiver from certain language for customers with systems of 10 kW or less installed after June 8, 2020, regarding Public Service calculating payments for RECs based on PV Watts estimation.
- g) Tariff Sheet No. 150 - Public Service requests a partial waiver from certain language for systems 10 kW and less, regarding Public Service calculating the additional RESA charge using the method provided in Rule 3664(g)(II) in place of a production meter, and the charge will not be made monthly until the

¹ Decision No. R20-0099 was issued on February 14, 2020.

² Decision No. C20-0289 was issued on April 28, 2020.

³ Decision No C20-0431 was issued on June 10, 2020.

necessary billing system changes are implemented, at which point it will be charged monthly and no waiver of the monthly provision will be required.

- h) Tariff Sheet No. R39 - Public Service requests a partial waiver from certain language, regarding Public Service not requiring a production meter to measure generation for customers with systems 10 kW or less installed after June 8, 2020.
- i) Tariff Sheet No. R40 - Public Service requests a partial waiver from certain language, regarding Public Service not requiring a production meter to measure generation for customers with systems 10 kW or less installed after June 8, 2020.
- j) Tariff Sheet No. R153 - Public Service requests a partial waiver from certain language, regarding Public Service billing customers a one-time RESA fair share charge within 60 days of implementing the necessary billing system changes identified in this Petition for Waivers, which will be more than a six-month period.

4. Public Service requests that these waivers be temporary, in effect until the Commission issues different rules through its ongoing rulemaking, Proceeding No. 19R-0096E, considering various Renewable Energy Standard rule revisions, and until the Company has made new Tariff filings. The Company notes that upon the conclusion of Proceeding No. 19R-0096E, the Company anticipates it will file a compliance advice letter with final revisions to its applicable Tariff Sheets consistent with the waivers granted herein, along with any Tariff modifications needed as a result of the rulemaking.

5. Public Service states that the transition away from production meters will only economically impact new Solar*Rewards customers with systems 10 kW or smaller, not its net-metering only customers. Existing Solar*Rewards Small customers will continue to pay the applicable production meter charge pursuant to the waivers issued in the 2017 to 19 RE Plan. The Company was already recovering the production meter costs for net-metering only customers through the RESA rather than through a production meter charge. Consequently, neither existing nor future net-metering only customers should see any bill impacts resulting from this change.

6. The Company states that as of June 8, 2020 and throughout the duration of its software transition, it has had to stop collecting the RESA “fair share charge” from newly-installed net-metering systems lacking production meters. Public Service plans to retroactively bill for these charges upon completion of the billing software developments in 2021. For new Solar*Rewards Small customers as of June 8, 2020 (with systems 10 kW or less), the Company anticipates that changes to their REC incentive payments as a result of changing to PV Watts will not be significant. The version of PV Watts used today considers the customer’s exact latitude, longitude, direction, and angle as entered into the installer’s solar interconnection application. Even with potential variation in certain factors such as shading or dirt accumulation, at an incentive rate of \$0.005 per kWh, there likely will not be a noticeable financial impact to Solar*Rewards customers.

7. The Petition was placed on Public Notice on July 15, 2020, for a period of 30 days. On July 30, 2020, Staff of the Colorado Public Utilities Commission and the Colorado Energy Office both filed a Notice of Intervention as of Right, and no party requested a hearing in this matter.

8. No party opposes the Petition. We find good cause to grant the Petition and grant partial waivers of Rule 3402(a)(IV) and partial waivers of Tariff Sheets 112A, 113B, 113E, 113F, 150, R39, R40, and R153. We grant a full waiver of Tariff Sheet 113C.

9. The Commission expects Public Service to implement the change effectively and at least cost. The Company shall notify the Commission of any changes to its implementation schedule outlined in the Petition.⁴ In addition, each customer affected by the Company’s back billed proposal shall be appropriately notified by the Company. Public Service is required to file

⁴ Public Service Petition for Waivers, Table 1 pp. 8-9

with the Commission a notification of its intent to notify customers who will be back-billed in mid-2021, prior to the completion of the billing software developments in 2021, which will result from the partial waiver of Rule 3402(a)(IV). Upon completion of its customer notification process, the Company shall provide confirmation of customer notification in this proceeding.

II. ORDER

A. The Commission Orders That:

1. The Petition for Waiver of Rule 3402(a)(IV) of the Rules Regulating Electric Utilities, 4 Code of Colorado Regulations 723-3, Partial Waivers of Tariff Sheets 112A, 113B, 113E, 113F, 150, R39, R40, and R153, and a Full Waiver of Tariff Sheet 113C (Petition) filed by Public Service Company of Colorado (Public Service) on July 10, 2020 is granted, consistent with the discussion above.

2. If Public Service modifies its proposed implementation timetable in Table 1 of its Petition, it shall notify the Commission, consistent with the discussion above.

3. Public Service shall notify customers who will be back-billed in mid-2021, prior to the completion of the billing software developments in 2021, which will result from the partial waiver of Rule 3402(a)(IV), consistent with the discussion above.

4. The 20-day period provided for in § 40-6-114, C.R.S., within which to file applications for rehearing, reargument, or reconsideration begins on the first day following the effective date of this Decision.

5. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
August 12, 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