

Decision No. C21-0045

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

PROCEEDING NO. 20AL-0505E

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IN THE MATTER OF ADVICE LETTER NO. 1840 - ELECTRIC FILED BY PUBLIC SERVICE COMPANY OF COLORADO TO REVISE ITS COLORADO P.U.C. NO. 8 - ELECTRIC TO UPDATE THE FIXED SOLAR\* REWARDS COMMUNITY SERVICE CREDIT TO BECOME EFFECTIVE JANUARY 1, 2021.

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**COMMISSION DECISION SETTING THIS MATTER FOR  
HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE,  
SUSPENDING EFFECTIVE DATE OF TARIFFS, AND  
SETTING NOTICE AND INTERVENTION PERIOD**

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Mailed Date: January 27, 2021

Adopted Date: January 27, 2021

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**IMPORTANT NOTICE:** ANY PERSON DESIRING TO PARTICIPATE ONLY BY MAKING A STATEMENT MAY DO SO BY APPEARING AT THE HEARING. IF YOU DESIRE TO ASK QUESTIONS OF A WITNESS OR OTHERWISE PARTICIPATE AS A PARTY IN THIS MATTER, YOU MUST REQUEST PERMISSION FROM THE COMMISSION TO BE AN INTERVENOR (EVEN IF YOU HAVE ALREADY FILED AN OBJECTION). ANYONE DESIRING TO INTERVENE MUST CAREFULLY FOLLOW THE LAW AND COMMISSION RULES FOR BECOMING AN INTERVENOR. FOR FURTHER INFORMATION ON HOW TO INTERVENE, CALL (303) 894-2070 (PUC EXTERNAL AFFAIRS OFFICE).

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**I. BY THE COMMISSION**

**A. Statement**

1. This Decision sets for hearing before an Administrative Law Judge the tariffs filed by Public Service Company of Colorado (Public Service or Company) with Advice Letter No. 1840, as amended, and suspends their effective date for 120 days pursuant to § 40-6-111(1), C.R.S.

2. A pleading to intervene in this matter may be filed by any person, firm, or corporation desiring to be a party and fully participate in this proceeding no later than February 26, 2021.

**B. Discussion**

3. On November 16, 2020, Public Service filed Advice Letter No. 1840 with tariff sheets to modify the Solar\*Reward Community Service (SRCS) Credit. The tariffs associated with the SRCS program, also known as Community Solar Gardens (CSG), have also been updated, pursuant to Decision No. C20-0628E in Proceeding No. 19R-0608E, to include definitions for SRCS Third-Party Administrator, SRCS Low-Income Subscriber, and Demand Side Management Cost Adjustment Component. The Advice Letter impacts tariff Colorado P.U.C. No. 8 – Electric, sheets 114A through 114G for the period January 1, 2021 through December 31, 2021.

4. On December 15, 2020, the Company filed an Amended Advice Letter No. 1840 in order to revise the effective date of the tariff sheets from January 1, 2021 to February 1, 2021 and to alter the SRCS Credit calculation by removing costs recovered via the Colorado Energy Plan Adjustment (CEPA) rider. The Company states that, although it believes CEPA-related costs are appropriately recovered from SRCS participants, “the Commission has not specifically directed the Company to make this exclusion.”

5. On December 16, 2020, Staff of the Colorado Public Utilities Commission (Staff) takes exception to the Company’s proposed changes to the calculation of the SRCS Credit. Staff argues that the Commission, via Decision No. C20-0700 in Proceeding No. 20AL-0191E, gave specific instruction to Public Service to recover the CEPA from “customers” and never attempted

to differentiate CSG customers in any manner. Staff requests the Commission set for hearing the tariff sheets filed with Advice Letter No. 1840, as amended.

**C. Conclusions and Findings**

6. Pursuant to § 40-6-111(1), C.R.S., the Commission may, in its discretion, set the tariff pages filed with Advice Letter No. 1840 for hearing, which will suspend the effective date of the tariff pages for 120 days from the proposed effective date. If the Commission does not establish new tariffs before the expiration of the suspension period of 120 days, or does not issue a separate decision further suspending the effective date of the tariff pages pursuant to § 40-6-111(1), C.R.S., the tariff pages filed by Public Service may become effective.

7. We find good cause to set for hearing the tariff sheets submitted with Advice Letter No. 1840 filed by Public Service on November 16, 2020 and amended on December 15, 2020 (Attachment A to this Decision). Pursuant to § 40-6-111(1), C.R.S., the initial 120-day suspension period for the tariff pages submitted with Advice Letter No. 1840, as amended, shall extend through June 1, 2021.

8. We refer this matter to an Administrative Law Judge.

**II. ORDER**

**A. The Commission Orders That:**

1. The proposed effective date, February 1, 2021, of the tariff pages filed by Public Service Company of Colorado (Public Service) with Advice Letter No. 1840 in Proceeding No. 20AL-0505E on November 16, 2020 as amended on December 15, 2020, is suspended for 120 days until June 1, 2021, or until further order of the Commission

2. This matter is referred to an Administrative Law Judge.

3. Any person, firm, or corporation, including any who have previously filed a document protesting the proposed tariff pages, who desire to intervene and participate as a party in this proceeding shall file a motion to intervene with the Commission no later than February 26, 2020 and shall serve a copy of the notice or motion on Public Service’s attorney of record.

4. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS’ WEEKLY MEETING  
January 27, 2021.**

(S E A L)



ATTEST: A TRUE COPY

Doug Dean,  
Director

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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JOHN GAVAN

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Commissioners