

Decision No. C21-0067

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 20V-0312E

IN THE MATTER OF THE PETITION OF PUBLIC SERVICE COMPANY OF COLORADO
FOR APPROVAL OF TEMPORARY WAIVERS FROM ITS ELECTRIC TARIFF DUE TO
COVID-19 OUTBREAK.

**COMMISSION DECISION GRANTING
MOTION FOR A WAIVER**

Mailed Date: February 9, 2021

Adopted Date: February 3, 2021

I. BY THE COMMISSION

Statement, Findings, Conclusion

1. On April 8, 2020, Public Service Company of Colorado (Public Service or Company), filed a petition for temporary waiver of certain of its Electric Tariff sheets related to late payment charges, installment payment programs, reconnection fees, the Electric Affordability Program (EAP), and meter readings. The petition was granted on April 20, 2020 by Decision No. C20-0265.

2. On July 27, 2020, Public Service requested extension of the waiver for certain of its Electric Tariff sheets related to late payment charges, installment payment programs, reconnection fees, and the Electric Affordability Program (EAP), but did not seek renewed waivers of the meter reading provisions. That extension was granted through January 31, 2021 by Commission Decision No. C20-0587, dated August 11, 2020, with the specific waivers granted attached to that Decision as Appendix A.

3. Through its Motion for Partial Variance from Decision No. C20-0587, filed on January 20, 2021, Public Service now requests an additional extension of the same tariff waivers (Motion).

4. Governor's Order D 2020 098, dated June 12, 2020, directed the PUC as follows, in pertinent part:

III. A. I direct the PUC to work with all public utilities to waive reconnection fees and suspend accrual of late payment fees for all residential customers and small business consumers.

B. I direct the PUC to work with all public utilities to develop and provide payment assistance programs to aid customers, particularly customers qualified for the Low Income Energy Assistance Program, in the payment of their utility bills, related to the impacts of COVID-19. The PUC will report on the development of the payment assistance programs to DORA and the Office of the Governor.

C. I direct the PUC to work with public utilities to provide guidance on prioritizing payment assistance. Further, the PUC shall collect and monitor relevant data from public utilities on the implementation of Statewide measures undertaken in response to this Executive Order and on a weekly basis report these efforts to the Office of the Governor and post them on PUC's website.

Governor's Order D 2020 098. Governor's Order D 2020 098 has since been extended serially, most recently by Governor's Order D 2021 030, dated January 30, 2021.

5. The portions of its Electric Tariff that Public Service has identified would require the Company to assess certain fees and impose certain conditions, which are contrary to the public interest given the directives in the Governor's Executive Orders.

6. Considering the Motion and directives in the Governor's Executive Orders, we find good cause to grant waiver of the tariff provisions. We find good cause to grant the Motion *nunc pro tunc* from January 31, 2021, so that there is no gap with the grant of the prior waiver.

7. The Motion requests that the waiver extend through September 30, 2021, or the expiration of the directives of the Governor’s Executive Orders, whichever comes first. This provides a definite end date for the requested waiver. Extension of the requested waiver may at that time be requested as appropriate given the unprecedented developments surrounding COVID-19.

II. ORDER

A. The Commission Orders That:

1. The Motion filed by Public Service Company of Colorado (Public Service) for Partial Variance from Decision No. C20-0587 to Extend Partial Waivers from its Electric Tariff is granted *nunc pro tunc* from January 31, 2021, through the earlier of the expiration of the directives of the Governor’s Orders or September 30, 2021, consistent with the discussion above. The specific waivers granted remain attached to Decision No. C20-0587 as Appendix A.

2. The 20-day time period provided by § 40-6-114(1), C.R.S., to file an application for rehearing, reargument, or reconsideration shall begin on the first day after the Commission mails this Decision.

3. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
February 3, 2021**

(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

ERIC BLANK

JOHN GAVAN

MEGAN M. GILMAN

Commissioners