

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 19A-0369E

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR APPROVAL OF ITS 2020 – 2021 RENEWABLE ENERGY STANDARD COMPLIANCE PLAN.

**COMMISSION DECISION ADDRESSING
2021 RENEWABLE ENERGY STANDARD
COMPLIANCE REPORT**

Mailed Date: October 25, 2022
Adopted Date: October 19, 2022

I. BY THE COMMISSION

A. Statement

1. This Decision addresses the 2021 Renewable Energy Standard Compliance Report (RES Compliance Report) filed by Public Service Company of Colorado (Public Service or Company) pursuant to Rule 3662 of the Commission’s Renewable Energy Standard (RES) Rules, 4 *Code of Colorado Regulations* (CCR) 723-3-3650, *et seq.* As discussed below, we find that Public Service complied with the RES requirements in 2021 and that no hearing is necessary.

B. Discussion

2. On June 1, 2022, Public Service filed its RES Compliance Report pursuant to Rule 3662 of the Commission’s RES Rules. The Commission issued a notice of the Company’s filing on June 8, 2022 and set a 30-day period during which interested parties could submit comments. No public comments were filed.

3. Rule 3663(a)(III) of the Commission's RES Rules requires Staff of the Commission to review a utility's annual compliance report within 60 days of its filing and recommend to the Commission whether the utility complied with the RES during the compliance year, whether a hearing is necessary, and whether any changes to the report are needed.

4. On August 30, 2022, Trial Staff of the Colorado Public Utilities Commission (Trial Staff) filed a motion requesting that the Commission extend the deadline for Trial Staff to file its review of the 2021 Renewable Energy Standard Compliance Report filed by Public Service Company of Colorado (Public Service or Company) as required in Rule 4 Code of Colorado Regulations (CCR) 723-3-3663(a) of the Rules Regulating Electric Utilities.

5. At the Commissioners' Weekly Meeting on September 7, 2022, the Commission granted Trial Staff's motion.

6. On September 13, 2022, Staff filed its review of Public Service's 2021 RES Compliance Report.

C. Conclusions and Findings

7. In accordance with the Electric Resource Standards of the Colorado Renewable Energy Standards (§ 40-2-124(1)(c)(I)(C), C.R.S.), Public Service was required to generate 30 percent of its 2021 retail electric sales from eligible energy resources. The Company's retail sales for 2021 were 28,927,119 MWh. The 30 percent RES requirement amounts to 8,678,136 MWh. In addition, the RES statute requires Public Service to generate 3 percent of its retail electric sales (or 867,814 MWh) from renewable distributed generation (DG) resources. At least one-half of that generation (or 433,907 MWh) must come from retail distributed generation (RDG) resources.

8. Consistent with the requirements in Commission Rule 3659, Public Service generally demonstrates compliance with the RES through the retirement of renewable energy credits (RECs).¹ Each REC corresponds to 1 MWh of electricity generated from an eligible energy resource. Using this approach, Public Service must show it retired a minimum of 8,678,136 RECs for the 2021 compliance year or demonstrate that it caused a certain number of MWh of electricity to be generated from eligible energy resources.

9. Based on its review of Public Service's 2020 RES Compliance Report, Staff concluded that the Company retired sufficient RECs to comply with all aspects of the RES for the 2021 compliance year. Staff concluded therefore that no hearing is necessary.

10. The Commission finds that Public Service is in compliance with the RES statute and rules for 2021. Based on Staff's analysis submitted in this Proceeding, we find that Public Service may carry forward 1,045,540 Retail DG RECs, 1,553,537 Wholesale DG RECs, and 23,456,055 non-DG RECs. These RECs may be used to meet RES requirements in future years or for any other legal purpose, in accordance with the Commission's RES Rules. 4 CCR 723-3-3650, *et seq.*

II. ORDER

A. The Commission Orders That:

1. Public Service Company of Colorado (Public Service) is in compliance with the Renewable Energy Standard (RES), including its distributed generation requirements, for the 2021 compliance year. Therefore, no hearing is necessary.

¹ Under Rule 3652, each REC is associated with 1 MWh of generation from a renewable energy resource. However, pursuant to Rule 3654, each MWh of renewable energy generated in Colorado provides 1.25 RECs for the purpose of demonstrating compliance with the RES.

2. Public Service shall carry forward the renewable energy credits in excess of those used to demonstrate compliance with the RES in 2021, consistent with the discussion above.

3. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
October 19, 2022.**

(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