

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 24AL-0377E

IN THE MATTER OF ADVICE NO. 1960 - ELECTRIC FILED BY PUBLIC SERVICE COMPANY OF COLORADO TO REVISE ITS COLORADO P.U.C. NO. 8 - ELECTRIC TARIFF TO MODIFY TIME-OF-USE ("TOU") TARIFFS FOR ELECTRIC SERVICE, INCLUDING TOU PERIODS AND ASSOCIATED TOU RATES AND CHARGES, TO BECOME EFFECTIVE OCTOBER 4, 2024.

**COMMISSION DECISION GRANTING MOTION TO
DELAY IMPLEMENTATION OF NEW RATES AND
REQUIRING COMPLIANCE TARIFF FILING**

Issued Date: September 16, 2025

Adopted Date: September 10, 2025

I. BY THE COMMISSION

A. Statement

1. On September 3, 2024, Public Service Company of Colorado ("Public Service" or the "Company") filed Advice Letter No. 1960-Electric ("AL 1960") to modify its time-of-use ("TOU") rate schedules.

2. By Decision No. C25-0415 ("TOU Rates Decision"), issued June 3, 2025, the Commission permanently suspended the tariff sheets filed with AL 1960 and established new TOU base rates for Public Service's electric customers for effect October 1, 2025.

3. On August 25, 2025, Public Service filed a Motion for a Partial Variance to Decision No. C25-0415 ("Delay Motion") asking the Commission to extend the deadline for the implementation of the new TOU rates from October 1, 2025, to November 1, 2025.

4. This Decision grants the Delay Motion and orders Public Service to file compliance tariffs with new TOU rates for effect November 1, 2025, consistent with the findings, discussion, and conclusions in the TOU Rates Decision.

B. Delay Motion

5. Through its Delay Motion, Public Service asks the Commission to grant a partial variance from the directive in the TOU Rates Decision to implement the new TOU rates on October 1, 2025. The Company states the requested one-month extension is necessary due to complications in the Company's completion of its new residential rate comparison tool. Public Service goes on to state that thorough testing on the tool is necessary on a multitude of scenarios and test cases and that testing is taking longer than originally anticipated and may not conclude until mid-September.

6. Public Service states in the Delay Motion that accurate results of the rate comparison are needed to support customer understanding of rate schedule options in conjunction with the Company's educational efforts regarding the new TOU rates. Public Service argues that if the Delay Motion is granted, the Company will still be able to engage in its customer education and communication efforts for at least a 30-day period before the effective date of the rates.

7. The Delay Motion explains that the Company is not aware of any opposition to the Delay Motion and requests a waiver of response time, arguing that time is of the essence.

C. Findings and Conclusions

8. Rule 1400(b) of the Commission's Rules of Practice and Procedure, 4 *Code of Colorado Regulations* 723-1, provides responding parties 14 days after service of a motion to file a response. Rule 1400(c) states that the Commission may deem a failure to file a response as a confession of the motion.

9. No responses to the Delay Motion were timely filed, and the motion is therefore deemed unopposed.

10. We have little choice but to grant the Delay Motion, as Public Service agrees with the TOU Rates Decision that the online rate comparison tool must be in place when customers receive the required notice from the Company regarding the new TOU rates.¹

11. The TOU Rates Decision specifically directed Public Service to use the months prior to the new effective date to deliver detailed customer education efforts to aid acceptance.² We are thus deeply concerned about the timing of the Delay Motion in relation to the directive in the TOU Rates Decision for Public Service to have completed the required notice to customers about the upcoming changes in rates no later than August 31, 2025. The implementation date of October 1, 2025, was based on Public Service's statements regarding the time necessary to implement the required changes in the TOU rates and to address the related customer notice and education efforts. While a November 1, 2025, implementation date will also be well in advance of next summer, the Company's filing on August 25, 2025, raises questions about the Company's efforts to fulfill the customer notice, education, and outreach directives in the TOU Rates Decision since it was issued in early June 2025.

12. Due to the one-month extension granted by this Decision, it is necessary to modify the compliance tariff filing requirements in the TOU Rates Decision to accommodate the later November 1, 2025, effective date for the new TOU rates. The permanent suspension of the tariff sheets filed with AL 1960 resulting from the TOU Rates Decision will continue to cause the rates currently in effect to remain in effect until replaced with the new rates effective November 1, 2025.

¹ Decision No. C25-0415 at ¶ 126, p. 41, issued in Proceeding No. 24AL-0377E (June 3, 2025).

² *Id* at ¶ 122, p. 40.

II. ORDER

A. The Commission Orders That:

1. The Motion for a Partial Variance to Decision No. C25-0415 filed by Public Service Company of Colorado (“Public Service”) on August 25, 2025, is granted, consistent with the discussion above.

2. Public Service shall file an advice letter compliance filing to modify the tariff sheets in its Colorado P.U.C. No. 8 - Electric Tariff consistent with the findings, conclusions, and directives of this Decision and Decision No. C25-0415. Public Service shall file the compliance tariff sheets in a separate proceeding and on not less than two business days’ notice, for effect November 1, 2025. The advice letter and tariff sheets shall be filed as a new advice letter proceeding and shall comply with all applicable rules. In calculating the proposed effective date, the date the filing is received at the Commission is not included in the notice period and the entire notice period must expire prior to the effective date. The advice letter and tariff must comply in all substantive respects to this Decision in order to be filed as a compliance filing on shortened notice.

3. The 20-day period provided for in § 40-6-114, C.R.S., within which to file an Application for Rehearing, Reargument, or Reconsideration, begins on the first day following the effective date of this Decision.

4. This Decision is effective upon its Issued Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
September 10, 2025.**

(S E A L)



ATTEST: A TRUE COPY

Rebecca E. White,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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MEGAN M. GILMAN

Commissioners

COMMISSIONER TOM PLANT,
ABSENT