

Decision No. C25-0129-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 25A-0075E

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR APPROVAL TO RECOVER COSTS ASSOCIATED WITH JOINING THE SOUTHWEST POWER POOL MARKETS+ MARKET THROUGH THE ELECTRIC COMMODITY ADJUSTMENT.

**INTERIM DECISION PROVIDING NOTICE OF
APPLICATION AND ESTABLISHING A SHORTENED
NOTICE AND INTERVENTION PERIOD**

Issued Date: February 21, 2025

Adopted Date: February 19, 2025

TO THE PARTIES IN THIS MATTER AND ALL INTERESTED PERSONS, FIRMS, OR CORPORATIONS:

I. BY THE COMMISSION

A. Statement

1. By this Decision the Commission provides notice of the Application filed by Public Service Company of Colorado (“Public Service” or the “Company”) on February 14, 2025 (“Application”), requesting a determination it is in the public interest for Public Service to participate in Southwest Power Pool’s (“SPP”) regional, day-ahead and real-time energy and flexibility reserve product market in the Western Interconnection, called Markets+ (“Markets+” or “SPP Markets+”), and requesting recovery of costs associated with Markets+ participation through the Electric Commodity Adjustment (“ECA”).

2. This Decision establishes a shortened notice and intervention period for the Application. The notice period shall extend through and include **12:00 p.m. on March 4, 2025**.

Interventions, including from Commission Staff, shall be due by **12:00 p.m. on March 4, 2025**.

Responses to intervention filings and motions shall be due by **12:00 p.m. on March 7, 2025**.

B. Application

3. In its Application, Public Service explains it seeks a Commission determination that its participation in SPP Markets+ is in the public interest based on the limited criteria set forth in Rule 3753(a) of the Commission's Rules Regulating Electric Utilities, 4 *Code of Colorado Regulations* ("CCR"), 723-3, and a determination on how Public Service will recover the costs associated with its participation in Markets+.

4. The Company states Markets+ will consist of three specific market products: a regional day-ahead electricity market; a real-time electricity market; and a flexibility reserve product market. SPP established two phases for developing Markets+. Phase 1 was the process of designing, submitting, and gaining Federal Energy Regulatory Commission ("FERC") approval for a Markets+ tariff.¹ Phase 2 incorporates the additional staffing, hardware, software development, and other activities that will be required by SPP to implement Markets+.

5. To recover costs associated with its participation in Markets+, Public Service proposes modifications to its ECA tariff to allow the recovery of Phase 1 funding fees the Company has incurred and will continue to incur through March 31, 2025. Public Service also proposes modifications to its ECA tariff to allow the recovery of Phase 2 costs beginning in 2025, including administrative fees, cost of posting collateral via cash and a standby letter of credit, software and information technology upgrades, and fees associated with entering and participating in the Western Resource Adequacy Program. Additionally, the Company proposes

¹ FERC recently approved the Markets+ tariff, with some conditions, on January 16, 2025. Order Accepting Proposed Tariff, Subject to Condition, *Southwest Power Pool, Inc.*, 190 FERC ¶ 61,030 (2025), FERC Docket No. ER24-1658.

ECA tariff modifications to allow sales revenues associated with participation in Markets+ to be passed to customers.

C. Findings and Conclusions

6. Under Rule 3753(b), at least 12 months ahead of commencing planned operations in a day-ahead market, Public Service is required to submit an application consistent with Rule 3002 and Rule 3755 requesting the Commission determine that participation in the market is in the public interest based on the criteria identified in Rule 3753(a). Upon receipt of the filing, the rule requires the Commission to open an abbreviated adjudicatory proceeding, notice the filing, establish an intervention period for the purpose of establishing parties, and set a schedule for receiving written initial and responsive comments in a way that results in a written decision within 150 days of the filing of the application. Rule 4 CCR 723-3-3753(b)(I). Additionally, the Commission will establish procedures for the proceeding that shall include one or more public comment hearings and, if necessary, an evidentiary hearing. Rule 4 CCR 723-3-3753(b)(III).

7. Through this decision, we open the adjudicatory application proceeding, notice the Application, and establish an intervention period for the purpose of establishing parties. The Commission will establish a schedule for receiving comments and further procedures for the proceeding through future decisions.

8. The Application is available for public inspection by accessing the Commission's E-Filings System under Proceeding No. 25A-0075E at:

https://www.dora.state.co.us/pls/efi/EFI.Show_Docket?p_session_id=&p_docket_id=25A-0075E.

This Decision is the Notice that the Application requesting a determination that participation in Southwest Power Pool's Markets+ is in the public interest and requesting

recovery of associated costs through the Electric Commodity Adjustment, has been filed by Public Service Company of Colorado with the Commission.

9. This Decision establishes a shortened notice and intervention period for the Application. The Commission's notice period for the Application shall extend through and include **12:00 p.m. on March 4, 2025**. The intervention period will run concurrent with the notice period. Interventions, including from Commission Staff, shall be due by **12:00 p.m. on March 4, 2025**. All persons who file an objection, notice of intervention as of right, motion to permissively intervene, or any other appropriate pleading shall do so in accordance with the instructions set forth in the Commission's Rules of Practice and Procedure and this Notice.

10. Responses to intervention filings and motions shall be filed by **March 7, 2025, at 12:00 p.m.**

11. At the time of this Notice, the Commission has not deemed this Application to be complete pursuant to § 40-6-109.5, C.R.S.

12. The Commission may, without a hearing or further notice, determine any verified application or petition which is uncontested or unopposed, if a hearing is not requested or required by law. If a hearing is required in this matter, the Commission will notify the parties of the hearing date, time and location. Procedures applicable to a possible evidentiary hearing in this matter will be established through a future Commission decision.

II. ORDER

A. It Is Ordered That:

1. Service of this Decision will provide notice to all interested persons, firms, and corporations of the Application filed by Public Service Company of Colorado on February 14, 2025, requesting a determination that participation in Southwest Power Pool's Markets+ is in the public interest and recovery of associated costs through the Electric Commodity Adjustment ("Application").

2. The notice period for the Application shall extend through and include **12:00 p.m. on March 4, 2025**.

3. Any person desiring to intervene or participate as a party in this Proceeding, including Commission Staff, shall file a petition for leave to intervene or, pursuant to the Commission's Rules of Practice and Procedure, other appropriate pleadings to become a party by **12:00 p.m. on March 4, 2025**.

4. Responses to interventions shall be filed no later than **March 7, 2025, at 12:00 p.m.**

5. This Decision is effective upon its Issued Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
February 19, 2025.**

(S E A L)



ATTEST: A TRUE COPY

Rebecca E. White,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ERIC BLANK

MEGAN M. GILMAN

TOM PLANT

Commissioners