

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 25M-0149EG

IN THE MATTER OF THE COMMISSION’S CONSIDERATION OF NEAR-TERM IMPROVEMENTS TO UTILITY PERCENTAGE OF INCOME PAYMENT PLAN PROGRAMS PURSUANT TO ELECTRIC RULE 3412 AND GAS RULE 4412.

**COMMISSION DECISION OPENING PROCEEDING,
JOINING COLORADO INVESTOR-OWNED ELECTRIC
AND GAS UTILITIES AS INDISPENSABLE PARTIES, AND
REQUIRING FILINGS**

Issued Date: April 3, 2025
Adopted Date: March 26, 2025

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I. BY THE COMMISSION

A. Statement

1. This Decision opens a Proceeding that will serve as the next step in the Commission's ongoing consideration of approaches to standardize and enhance Percentage of Income Payment Plan ("PIPP") programs, otherwise known as electric or gas affordability programs, offered by investor-owned electric and gas utilities pursuant to Rule 3412 of the Rules Regulating Electric Utilities, 4 *Code of Colorado Regulations* ("CCR") 723-3, and Rule 4412 of the Rules Regulating Gas Utilities, 4 CCR 723-4-4412. By this Decision, we direct Atmos Energy Corporation ("Atmos"), Black Hills Colorado Electric, LLC, and Black Hills Colorado Gas, Inc. (together, "Black Hills"), Colorado Natural Gas, Inc. ("CNG"), and Public Service Company of Colorado ("Public Service") to each initiate, within 90 days of issuance of this Decision, a separate Advice Letter filing by which they will provide PIPP program tariffs that fully enumerate and clarify each utility's program implementation practices.

B. Background and Context

1. 2024 PIPP Evaluation Report

2. By Decision No. C23-0095, issued February 9, 2023, the Commission set forth a scope for Proceeding No. 23M-0013EG that included seeking comments on the evaluation of PIPP programs and on other income-qualified energy programs as necessary to contextualize the evaluation and consider next steps. That proceeding served as a repository for the 2024 PIPP

Evaluation Report, for utilities' annual PIPP program reports, and for materials from Commissioner Information Meetings ("CIMs") on topics related to income-qualified bill assistance and energy programs.

3. On April 5, 2024, the Colorado Energy Office ("CEO") filed the 2024 PIPP Evaluation Report, which was completed by GDS Associates, Inc ("GDS Associates"). GDS Associates drew upon in-depth interviews, research on peer programs, analysis of deidentified participant data, online and written surveys, and focus groups to develop its findings and recommendations. This was the second evaluation report filed on utilities' PIPP programs pursuant to Electric Rule 3412(k), 4 723-3, and Gas Rule 4412, 4 CCR 723-4, and covered the program period November 1, 2019, through October 31, 2022.¹

4. GDS Associates made several key findings regarding utility PIPP programs. Critically, nearly all surveyed PIPP participants stated that the PIPP program made their utility bills a lot or somewhat easier to pay and reported benefits including greater home comfort, less concern about being able to pay utilities, and increased ability to absorb unexpected expenses, like car repair bills.² PIPP is thus a critical component of the wider ecosystem that provides energy bill assistance to Colorado households. GDS Associates also found that in general, utilities' PIPP programs are in line with best practices in other states in areas like program design (offering both bill credits and arrearage forgiveness) and income eligibility.³ At the same time, GDS Associates estimated that only about 20 percent of potentially eligible customers across utilities had been enrolled in PIPP programs.⁴ This represents an increase from an estimated 8 percent of eligible

¹ The first evaluation report was filed in Proceeding No. 20M-0013EG on October 13, 2020. It was completed by ADM Associates, Inc., and covered the program period November 1, 2016, through October 31, 2019.

² 2024 PIPP Evaluation Report filed in Proceeding No. 23M-0013EG (April 5, 2024) at p. 148-149 at Table 7-27; p. 151-152 at Table 7-30, 7-31; p. 163-166.

³ 2024 PIPP Evaluation Report, beginning p. 58.

⁴ 2024 PIPP Evaluation Report, p. 97-98 at Table 5-16.

households enrolled during the period covered by the 2020 PIPP Evaluation Report,⁵ yet a significant gap between potential eligibility and enrollment remains. GDS Associates also evaluated participant demographics based in part on survey results, finding that the average income for PIPP participants was between \$19,000 and \$25,000 in 2022 and that PIPP participants were more likely than non-participants to have at least one member of the household diagnosed with a disability, potentially including a temperature-sensitive medical condition.⁶

5. GDS Associates also made several recommendations for our consideration as we think about potential changes to PIPP program rules and requirements, some of which we highlight here.⁷ First, they recommend that the Commission assess what level of support is appropriate (*i.e.*, the sufficiency of benefits being provided). Second, they recommend the Commission determine if the program is serving the desired audience or if it should be modified to create opportunities for more eligible customers to participate, such as by increasing funding or offering other enrollment methods (*e.g.*, targeting seasonal workers, people who are newly unemployed, etc.). Third, they documented inconsistencies in how utilities implement PIPP programs that could be evaluated for effectiveness and/or standardization. This includes steps like how Colorado's Low-Income Energy Assistance Program ("LEAP") benefits are applied, whether PIPP credits are tiered based on income or capped per household, and how waitlists are managed. Finally, they recommended changes to the evaluation process, including improving data collection, clarifying accounting, creating standard agreements, and other actions.

6. By Decision No. C24-0329-I, issued May 13, 2024, the Commission sought comments from stakeholders on which report recommendations should be prioritized for further

⁵ 2020 PIPP Evaluation Report, p. 60 at Table 4-25. This comparison does not control for potentially different estimation methodologies by consultants.

⁶ 2024 PIPP Evaluation Report, p. 79-80 at Tables 5-6, 5-7, 5-8; p. 81 at Table 5-9; p. 88 at Table 5-13.

⁷ 2024 PIPP Evaluation Report at pp. 196-212.

consideration. In their comments on the 2024 PIPP Evaluation Report, participants suggested several potential next steps and priorities. For example, participants were nearly universal in recommending improvements to the evaluation process itself, including clarifying data collection requirements for the audit and developing streamlined nondisclosure and data-sharing agreements. Participants also indicated that program implementers could benefit from continuing to improve coordination across service providers and stronger internal education on the challenges faced by income-qualified customers. Furthermore, some participants suggested changes to PIPP programs more generally, including but not limited to instituting a multiyear enrollment period, increasing program budgets, considering changes to benefit delivery, enabling self-attestation of income, creating a central PIPP application portal, and establishing clearer performance goals for future evaluation (*e.g.*, increased program awareness). Additionally, CEO suggested that the Commission ensure all utilities fully come into compliance with Electric Rule 3412 and Gas Rule 4412 by a certain date , or seek appropriate waivers.⁸

2. Utility Bill Help Program

7. At a CIM held on October 25, 2024, Staff provided an overview of the Utility Bill Help (“UBH”) pilot program, which provides an additional avenue to enroll income-qualified utility customers into utility PIPP programs. UBH joined a growing list of opportunities for utility customers to enroll in utility PIPP programs based on having income verified by LEAP, Energy Outreach Colorado (“EOC”), and the Weatherization Assistance Program (“WAP”) administered by CEO.⁹

⁸ CEO Comments filed in Proceeding No. 23M-0013EG on June 5, 2024, at p. 5.

⁹ HB 1105 and Proceeding 21R-0326EG.

8. The UBH program was launched by Director Rebecca White as a component of the agency's response to a letter from Governor Polis asking for state agencies, nonprofits, and utilities to come together and find new ways to address affordability.¹⁰ While enrollment in PIPP programs was expanded through House Bill 21-1105 and subsequent rules, the UBH program provided an additional stopgap to enable customers who had been denied LEAP benefits for reasons other than income to demonstrate eligibility for utility programs by providing evidence of enrollment in another program offered by the Colorado Department of Human Services ("CDHS"). In its pilot season, it accepted applications in English and Spanish from December 2023 through June 2024 and was implemented by one staff member coordinating with the Commission's External Affairs team.

9. During the 2023-2024 winter heating season, UBH processed 768 applications, of which 653 applicants were referred to relevant electric and/or gas utilities to be considered for enrollment in PIPP programs. Most applicants provided evidence of Supplemental Nutrition Assistance Program ("SNAP") benefits as the basis to qualify through UBH.¹¹ Fifty-one percent of referrals from UBH were enrolled and began receiving monthly bill credits through the PIPP program. Some applicants received forgiveness credits for past-due balances even if they were not enrolled in a PIPP program.¹²

10. Staff presented numerous lessons learned at the October 25, 2024, CIM that augmented the information and recommendations provided in the 2024 PIPP Evaluation Report.¹³

¹⁰ Letter from Governor Jared Polis (February 6, 2023), *available at* https://drive.google.com/file/d/1inVzXLop43L_hsxGB2KTdjKNaVP-Dac5/view.

¹¹ This is consistent with information from the 2024 PIPP Evaluation Report indicating that a large proportion of customers who successfully enrolled in the PIPP program also received SNAP benefits. 2024 PIPP Evaluation Report at p. 91, Table 5-15.

¹² Proceeding No. 25M-0003ALL, Slide deck at p. 6-7.

¹³ Proceeding No. 25M-0003ALL, Slide deck at p. 9-10.

In particular, Staff found that the process of calculating energy burdens and PIPP credits across utilities varied sufficiently enough that it was challenging, as the point of contact for the customer, to provide applicants clear information about whether they were likely to be enrolled in the PIPP program or what kind of benefit they could expect. Customer communications also varied by utility and customers expressed confusion with enrollment and re-enrollment practices. In some cases, UBH program staff raised concerns that how the energy burden threshold is implemented could result in unintended consequences, where households with very low incomes (around \$20,000 per year) are inadvertently excluded from receiving benefits because they are successfully conserving energy.

11. At the same time, significant progress was made to continue improving enrollment in PIPP programs from the newer EOC, CEO, and UBH pathways. Pilots conducted between utilities and energy assistance providers indicated higher levels of successful enrollment from actions like proactive emails with partially filled-out forms and in-person outreach events. Starting in the winter heating season of 2023-2024, members of an Energy Assistance Working Group (“EAWG”)—including LEAP, WAP, EOC, UBH, and utilities—began reporting the number of applications received, the number of participants enrolled in energy assistance programs, and the average benefit a customer receives on a monthly basis. To increase public transparency and track data patterns, the Commission created a public energy assistance data dashboard for the 2024-2025 heating season that shows energy assistance participation and enrollment trends and disconnection trends.¹⁴ This combined data will support Staff and assistance providers to identify the most

¹⁴ Available at: <https://puc.colorado.gov/energy-assistance-data-dashboard>. Disconnection reports are filed in Proceeding No. 23M-0042EG.

effective enrollment pathways, where there is opportunity for improvement in rules and practices to increase customer participation, and the average monetary need of income-qualified customers.

3. 2025 Income-Qualified Programs Work Plan

12. On January 7, 2025, we held a CIM that addressed potential priorities for the Commission related to 2025 tasks and proceedings addressing income-qualified energy bill assistance and income-qualified energy programs.¹⁵ At the CIM, we discussed some of our initial questions and priorities. We continued to support Staff's efforts to work collaboratively with other state agencies, utilities, and assistance providers to streamline the ability of customers to enroll in the assistance programs for which they qualify. We expressed a concern that even as utilities are starting to test more proactive approaches to customer enrollment, customers are being disconnected for non-payment and it may be that additional steps can be taken to ascertain whether those customers may be income-eligible and to enroll them in PIPP programs. We expressed a desire to better understand the connection between larger rate proceedings and how rate changes could impact the level of assistance projected to be needed to prevent more income-qualified customers becoming energy burdened. We also expressed a desire for Staff to continue moving toward a future rulemaking regarding utility PIPP programs and to explore a range of smaller and larger potential improvements to PIPP programs, including but not limited to considering fixed payments instead of fixed credits as a component of program design; evaluating energy burden thresholds; and creating clearer connections between energy assistance programs and other energy programs, many of which have budgets set-aside for income-qualified customers.

13. By Decision No. C25-0193, issued March 19, 2025, the Commission postponed the third PIPP evaluation report, for which work would otherwise have begun late in 2025, to allow

¹⁵ Materials for this CIM are filed in Proceeding No. 25M-0003ALL.

time to more fully consider the results of prior evaluation reports and other activities which could lead to rules changes. That step was the first action Staff brought forward after the January CIM.

14. This Decision is the second action following from the January CIM and will serve to provide useful transparency for Staff, stakeholders, and the public regarding how utility PIPP programs are currently implemented. This action is particularly significant given uncertainty regarding future federal government actions related to the federally-funded Low Income Home Energy Assistance Program. While annual reports, comments, and CIMs have shed light on various practices by utilities that affect program enrollment, we believe it will facilitate moving into a future rulemaking to have clear and comprehensive information about programs that is written down, publicly available, and not just known to a limited number of Staff and stakeholders.

C. Findings and Conclusions

15. The Commission's authority to approve tariffs and rates for service derives from Article XXV of the Colorado Constitution. The Commission is further charged with ensuring the provision of safe and reliable utility service at just and reasonable rates pursuant to §§ 40-3-101, 40-3-102, 40-3-111, and 40-6-111, C.R.S.

16. We join Atmos, Black Hills, CNG, and Public Service as indispensable parties to this Proceeding.

17. Pursuant to Electric Rule 3412(f) and Gas Rule 4412(f), "[e]ach utility shall maintain effective terms and conditions in its tariffs on file with the Commission describing its low-income program."¹⁶

18. To identify issues for which we seek clarification or remedy, we reviewed the most recent tariffs approved in at least the following advice letter proceedings:

¹⁶ Electric Rule 3412(f) says "containing its low-income program."

- a. Atmos Proceeding Nos. 23AL-0331G, 23AL-0634G, 24L-0351G, and 24AL-0366G, variously increasing and decreasing monthly surcharges for the Gas Affordability Program and clarifying enrollment duration.
- b. Black Hills Proceeding Nos. 22AL-0554E and 24AL-0105E, variously complying with requirements resulting from rules promulgated in Proceeding No. 21R-0326EG and adjusting monthly surcharges for the Electric Affordability Program.
- c. Black Hills Proceeding Nos. 23AL-0068G and 24AL-0188G, variously complying with requirements resulting from rules promulgated in Proceeding No. 21R-0326EG and adjusting monthly surcharges for the Gas Affordability Program.
- d. CNG Proceeding Nos. 22AL-0521G, 22AL-0468G, and 22AL-0167G, variously complying with requirements resulting from rules promulgated in Proceeding No. 21R-0326EG and adjusting monthly surcharges for Gas Affordability Program.
- e. Public Service Proceeding Nos. 23AL-0176E and 23AL-0177G, increasing monthly surcharges for the Electric and Gas Affordability Programs and incorporating other changes related to calculation of benefits and arrearage credits.
- f. Public Service Proceeding Nos. 24AL-0177E, 24AL-0178G, and 24AL-0453G, variously clarifying the minimum enrollment period of 12 months in the Electric and Gas Affordability Programs and addressing enrollment of Income-Qualified customers who participate in Clean Heat Plan beneficial electrification programs in the Gas Affordability Program.

19. We have identified certain actual or potential discrepancies as between utility program operations and rules requirements, and as between how utilities implement programs versus how those steps are characterized within publicly available tariffs on file at the Commission. Certain information is missing, unclear, or lacks appropriate cross-references, among other problems. Moreover, tariff changes are often filed piecemeal rather than with all program terms, and there is no established cadence for tariff updates.

20. Given the findings of the 2024 PIPP Evaluation Report that most information about PIPP program implementation had to be gathered through interviews and that “some of the program staff that were interviewed gave incorrect information about the structure, requirements, or other implementation details at their own utility,”¹⁷ we find it necessary to direct utilities to make appropriate updates and corrections to their program tariffs by separate advice letter filings. While there is always a possibility that the filing of separate advice letters results in contested proceedings, it is not our intent to encourage transformational changes to programs through these advice letters, but rather to use this process to establish a consistent, foundational understanding of program implementation practices so that utilities, Staff, and other stakeholders can continue to collaboratively explore opportunities for program enhancement.

21. Accordingly, the Commission finds good cause to open this Proceeding for the sole purpose of requiring investor-owned utilities to file PIPP tariffs, pursuant to Electric Rule 3412(f) and Gas Rule 4412(f), to correct discrepancies, omissions, and ambiguities. We direct the investor-owned utilities to file the tariffs in a new advice letter proceeding within 90 days’ notice. The advice letter filing will be administered in accordance with the Commission’s Rules of Practice and Procedure, 4 CCR 723-1. Along with the advice letters and revised tariffs, we further direct utilities to file additional informational and educational materials, as we set forth below.

22. On the same date that utilities file the PIPP tariffs, they shall file notices in this Proceeding informing the Commission that they have submitted the tariff required by Rules 3412(f) and/or 4412(f).

23. They shall file a second notice in this Proceeding no later than 7 days following the effective date of the utilities’ PIPP tariffs.

¹⁷ 2024 PIPP Evaluation Report at p. 211.

24. We close this Proceeding except to the extent it serves as a repository for the notices required by the preceding paragraphs. Any additional steps the Commission takes related to PIPP programs will be taken via separate proceeding(s).

25. We set the following requirements for the upcoming advice letter filings.

1. Compliance with Rules

26. Utilities shall confirm that their Energy Affordability Programs fully comply with currently effective Electric Rule 3412 and/or Gas Rule 4412, as appropriate. Where the utility's program implementation does not fully comply with those rules, the utility shall bring the program into compliance through its advice letter filing, reference the currently effective waiver, or request a waiver if needed. All errors and omissions identified by this Decision should be viewed as non-exhaustive, and utilities are expected to remedy all deficiencies to be in compliance with the rules.

2. Filing Requirements for Tariffs

27. Utilities shall file advice letters with tariffs that are updated to address cost recovery as well as provide, at minimum, relevant information about program eligibility, program enrollment, energy burden and benefit calculations, levelized and budget billing, arrearage credits, and disconnection protections, as we describe here. In filing this information, utilities must fully disclose all internal steps or screens that are used to review a customer's account and to determine their ability to participate in PIPP programs and to receive a particular level of benefits. Utilities must fully disclose what actions by a customer could result in that customer's removal from the program, including nonpayment or other actions.

28. We encourage collaboration between utilities and stakeholders, where appropriate, to develop a standard way of presenting the information or categories of information in their tariffs

to enable comparability, given a customer may be able to participate in PIPP programs from two different investor-owned utilities. We also encourage utilities to draft tariff language from the perspective of two types of readers: program participants and income-qualified energy service providers. We recommend that utilities err on the side of clarity and, for example, state that a requirement does not apply rather than being silent as to it. We encourage utilities to submit direct testimony with advice letters to clarify their practices as appropriate.

a. Program Eligibility

29. Electric Rule 3412(c) and Gas Rule 4412(c) establish eligibility requirements drawn from the income levels and income verification processes set forth at § 40-3-106(1)(d), C.R.S. Income eligibility can now be determined based on federal poverty level (“FPL”), state median income, or area median income (“AMI”). However, certain utilities provide benefits or assess energy burden based on income tier, up to 200 percent FPL (*e.g.*, Atmos and Black Hills), creating ambiguity as to whether customers are truly eligible based on AMI, which is generally a higher income level. Utilities shall ensure that income eligibility requirements are properly incorporated, consistent with rules. Utilities shall remove any references that imply that a customer’s sole path for entering the PIPP program is by applying for LEAP assistance or that a LEAP application is a necessary condition for PIPP participation (*e.g.*, CNG).

b. Program Enrollment

30. Electric Rule 3412(d) and Gas Rule 4412(d) state that utilities shall be responsible for the methods by which participants are enrolled in PIPP programs and that those methods shall be “efficient.” However, Staff have observed that utilities’ tariffs misstate, or are silent as to, key aspects of enrollment. For example, some utilities describe their process as “auto-enrollment,” *i.e.*, a customer whose income is verified by a third-party income verifier is automatically enrolled in

the PIPP program. In practice, the transfer of information from a third-party income verifier like LEAP is only partially automatic, as utilities still conduct checks for energy burden which can result in customers being rejected from enrollment. We direct utilities to remove the characterization of their process as “auto-enrollment.”

31. Second, utilities’ tariffs may not be clear as to period of enrollment. Tariffs generally acknowledge that customers can enroll any time and must reapply after 12 months. However, in practice, we have discussed with utilities at CIMs that most automatically un-enroll every customer as of October 31, so that a new customer list can be enrolled as of November 1, consistent with the LEAP winter heating season. We direct utilities to confirm the number of months of benefits that customers can receive upon enrollment and if this varies based on the path by which they are enrolled or the period of the program cycle in which they are enrolled. We note that utilities are not prohibited from enrolling customers for a period of greater than 12 months, consistent with direction in rules to adopt efficient methods of enrollment.

32. Third, utilities’ tariffs shall explicitly address any additional restrictions or screens on enrollment that prevent a customer who is income-eligible from being fully enrolled and receiving a PIPP benefit. Restrictions that have been observed by Staff while implementing the UBH program include whether the account is active (*i.e.*, they may be required to pay reconnection fees prior to enrollment), whether the account is direct-billed, excessively high arrearages, participation in other tariffs besides PIPP (including how a bill is calculated for a customer who is also in a payment plan, if allowed), an assessment that the credit would be low (*e.g.*, less than \$50 annual benefit), or previous denied enrollment during the same program year, even if the customer subsequently becomes income-eligible due to a changed condition.

33. Finally, utilities shall address how customers are prioritized for enrollment, including the use of waitlists. For example, some utilities enroll customers on a first-come, first-served basis, while others enroll customers based on comparative energy burden. Given that PIPP programs have been transitioning to accommodate more year-round enrollment, to the extent a utility does not enroll customers by order of referral, the utility shall address how and how frequently it assesses customer prioritization for enrollment. For example, if a utility forgives arrears over 24 months instead of 12 months, are customers who have been in the program for 12 months prioritized so that they have the opportunity to fully forgive arrears? We direct utilities that use waitlists to describe how frequently those waitlists are assessed and adjusted based on referrals.

c. Energy Burden and Benefit Calculations

34. Electric Rule 3412(e) and Gas Rule 4412(e) establish rules for how utilities estimate customers' full annual bills, fixed credit benefits, and affordable percentage of income payments. However, Staff have observed that administrative practices may be applied on a utility-by-utility basis which are not disclosed in tariffs.

35. Utilities shall explain and provide a formula for how PIPP benefits are calculated. Information provided shall address:

- g. How energy burden is calculated;
- h. Whether benefits are modified based on factors such as comparative income or energy burden within the referred group of income-qualified customers seeking enrollment;
- i. How other benefits, including LEAP, are applied to the customer's ongoing benefits or arrearage credits;
- j. How the utility identifies primary fuel source and fuel service providers for purpose of setting the affordable payment threshold;

- k. How benefits are calculated when a customer participates in one or more other rate programs or tariffs, including community solar gardens, medical rate exemption programs, etc.; and
- l. How benefits are applied, and whether in a lump sum or over a 12-month period.

36. Utilities shall further confirm in their tariffs that, consistent with Electric Rule 3412(e)(V) and Gas Rule 4412(e)(V), fixed credits may be adjusted based on increased estimated annual bills. Utilities shall describe under what conditions or how frequently this calculation is performed.

37. Finally, Electric Rule 3412(e)(III) and Gas Rule 4412(e)(III) state that a utility may establish minimum monthly payment amounts for participants with a household income of \$0. Not all utility tariffs reference minimum payments. Consistent with the rules, we do not require utilities to establish minimum monthly payments, but utilities shall address in their tariffs whether or not a minimum monthly payment is offered.

d. Levelized and Budget Billing

38. Electric Rule 3412(e)(VI) and Gas Rule 4412(e)(VI) state that utilities may enroll participants in budget billing programs or allow them to opt out if it is technically feasible. Tariffs should specifically describe the process used by utilities and whether opting out of a budget billing program affects how PIPP credits are provided to the customer.

e. Arrearage Credits

39. Electric Rule 3412(e)(VII) and Gas Rule 4412(e)(VII) describe the process by which arrearage credits may be provided to customers with pre-existing arrearages. As an example, Public Service does not describe how a determination is made for the timeline over which arrearage credits can be provided. We direct utilities to describe the process by which arrearage credits are

provided, including through one-time or ongoing credits and any limitations on the frequency or amount of credits that can be received (for example, whether a customer is precluded from receiving arrearage forgiveness more than once or if forgiveness is capped at a certain amount). Where a utility elects to provide arrearage credits over a period of time longer than the duration the customer is enrolled in the program before being required to reapply, the utility shall specifically state in its tariffs that the customer should be prepared to reapply promptly at the end of the program enrollment period to ensure an opportunity for the full balance of arrearages to be forgiven.

f. Disconnection Protections

40. Utilities report in their annual PIPP reports that they offer temporary or ongoing protection from disconnection for customers who are applying for or enrolled in PIPP and other bill assistance programs. While Electric Rule 3412 and Gas Rule 4412 do not require utilities to take certain actions related to disconnection protections for PIPP customers, Electric Rule 3404 and Gas Rule 4404 do require utilities to maintain accurate tariffs regarding disconnection fees and practices. We direct utilities to describe in their PIPP tariffs what protections a customer is provided from disconnection during the process of applying for bill assistance (*e.g.*, whether there is an account lock for a certain period of time which limits collections) and if that protection is extended for the duration of the customer's participation in PIPP programs. This direction is based on variations identified in the 2024 PIPP Evaluation Report, where some utilities reported that they flatly do not disconnect customers who are enrolled in the PIPP program.

3. Additional Information

41. With the advice letter filings, utilities should file their most recent annual PIPP report; copies of all letters or communications provided to customers regarding PIPP programs; a

sample bill that identifies any riders or credits; and copies of any additional forms that customers must fill out to enroll, if forms are used. Utilities may provide placeholder versions of materials that do not include actual customer information.

42. We further direct each utility to file a table comparing the income eligibility levels and enrollment pathways for its income-qualified bill assistance program(s) to any other energy programs for income-qualified customers or customers in disproportionately impacted communities. The table should generally follow the format and include the categories of information that are set forth in Appendix A of Public Service’s May 7, 2024, Energy Insecurity Stakeholder Report filing in Proceeding No. 22AL-0530E. For purposes of scoping the list of other energy programs to provide in addition to income-qualified bill assistance programs, utilities shall use the preliminary description of “retail customer programs,” provided in the Staff Capstone Report filed in Proceeding No. 22M-0171ALL, as guidance.¹⁸

4. Other Activities

43. At the January 2025 CIM, we discussed whether utilities’ PIPP programs are reasonably available to income-qualified customers who experience particular barriers to participating—including language, education, or other factors which may reduce their ability to enter into PIPP programs through traditional venues, such as LEAP. We particularly discussed whether there may be preexisting data that utilities collect, such as the frequency customers receive disconnection notices or whether they have previously called the utility seeking assistance, that could be used to enroll customers more proactively.

44. Our action in this Proceeding does not preclude utilities from filing advice letters or applications as appropriate to test these assumptions, and we encourage them to do so. At the

¹⁸ Staff Capstone Report (July 22, 2024) at pp. 57-58.

CIM, we discussed potential longer-term changes to PIPP programs that could serve to meet the needs of more potentially eligible customers, streamline the enrollment experience, etc. For example, Staff proposed that the Commission explore changes which could include reducing energy burden criteria (*e.g.*, from 6 percent to 4 percent), removing energy burden entirely, converting the program from fixed-credit to fixed-payment, providing some degree of geospatial enrollment, and more. We welcome and encourage utility pilots on these and other topics, and we understand that some utilities may be interested in this option. We anticipate that the corrected tariffs and filing of potential pilots will facilitate our ability to look at the broader framework for income-qualified programs later in 2025, which could include hosting further CIMs, seeking data or policy analyses, or initiating stakeholder processes.

II. ORDER

A. The Commission Orders That:

1. A miscellaneous proceeding is opened to direct Atmos Energy Corporation, Black Hills Colorado Electric, LLC, and Black Hills Colorado Gas, Inc., Colorado Natural Gas, Inc., and Public Service Company of Colorado (collectively, the “Utilities”) to file tariffs regarding the implementation of Percentage of Income Payment Plan (“PIPP”) programs pursuant to Electric Rule 3412(f) and Gas Rule 4412(f), consistent with the discussion above.
2. The Utilities are joined as indispensable parties to this Proceeding.
3. The Utilities shall file the PIPP program tariffs and supporting information described in new advice letter proceedings on not less than 30 days’ notice, consistent with the discussion above. The advice letter filing shall be submitted no later than 90 days after the Issued Date of this Decision.

4. Upon the filing of the advice letters required by this Decision, the Utilities shall file notices in this Proceeding, consistent with the discussion above.

5. The Utilities shall file a second notice in this Proceeding on or immediately before the date its PIPP tariffs become effective, consistent with the discussion above.

6. This Decision is effective immediately upon its Issued Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
March 26, 2025.**

(S E A L)



ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Rebecca E. White".

Rebecca E. White,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ERIC BLANK

MEGAN M. GILMAN

TOM PLANT

Commissioners