

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO**

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**IN THE MATTER OF THE APPLICATION)
OF PUBLIC SERVICE COMPANY OF)
COLORADO FOR APPROVAL OF ITS) PROCEEDING NO. 16A-0396E
2016 ELECTRIC RESOURCE PLAN)**

**IN THE MATTER OF THE)
APPLICATION OF PUBLIC SERVICE)
COMPANY OF COLORADO FOR)
APPROVAL OF ITS 2016 ELECTRIC) PROCEEDING NO. 19A-0530E
RESOURCE PLAN AMENDMENT)
REGARDING THE TARGETED 2019)
SOLAR REQUEST FOR PROPOSALS)**

**NOTICE OF RE-FILING CONFIDENTIAL AND HIGHLY CONFIDENTIAL
INFORMATION AS PUBLIC**

Public Service Company of Colorado (“Public Service” or the “Company”), by its undersigned counsel, files this notice to the Colorado Public Utilities Commission (“Commission”) of re-filing certain confidential and highly confidential information from the Company’s 2016 Electric Resource Plan (“ERP”) proceeding as public in accordance with the requirements of Rule 3613(j) and 3613(k). This notice pertains to confidential and highly confidential information from the Company’s 2016 Electric Resource Plan (“2016 ERP”) in Proceeding No. 16A-0396E and its 2016 ERP Amendment in Proceeding No. 19A-0530E.

I. BACKGROUND

1. Commission Rule 3613(j) requires Public Service to file a proposal that addresses the public release of all confidential and highly confidential information related to bids for potential resources and resources the utility proposed to build and own as a rate base investment. At a minimum, the Company is required to address through its proposal its 120-Day Report, the Independent Evaluator's (IE) report, and all documents related to these reports filed by the Company, parties, or the IE.

2. On January 28, 2019, the Company filed a Proposal to Refile Confidential and Highly Confidential Information as Public Information ("Proposal") pursuant to Rule 3613(j). The Company filed its Proposal within 14 months of the initial receipt of bids for its 2017 All-Source Solicitation on November 28, 2017, as required by Rule 3613(j).

3. In its Proposal, the Company proposed to file as public the following confidential and highly confidential documents from Proceeding No. 16A-0396E:

Documents filed by the Company:

a. 30-Day Report, Attachment A - RFP Responses by Technology, filed December 28, 2017;

b. 30-Day Report, Attachment B - Potential Section 123 Resources, filed December 28, 2017;

c. 30-Day Report, Attachment C - Number of Bids by Bidder and Generation Type, filed December 28, 2017;

d. 30-Day Report, Updated Attachment A - RFP Responses by Technology, filed March 1, 2018;

e. 120-Day Report, filed June 6, 2018;

f. 120-Day Report, Appendix B - Portfolio Summary and Details, filed June 6, 2018;

g. 120-Day Report, Appendix C - Best Value Employment Metrics, filed June 6, 2018;

h. 120-Day Report, Appendix F - Section 123 Resources, filed June 6, 2018;

i. 120-Day Report, Appendix H - Bids Advanced to Computer Based Modeling, filed June 6, 2018; and

j. 120-Day Report, Appendix J – Operating Reserve Cost Analysis, filed June 6, 2018.

Documents filed by the IE:

k. Appendix A, Confidential Information from the IE Report, filed July 16, 2018.

Documents filed by other parties:

l. Staff's Comments on the Company's 120-Day Report, filed July 23, 2018.

m. Corrected Coalition of Ratepayers' Comments on the Company's 120-Day Report,¹ filed July 25, 2018.

4. In its Proposal, the Company further proposed to post the following in table format on the Company's website upon completion of the competitive acquisition process in accordance with Rule 3613(k): bidder name; levelized energy cost (\$/MWh) or levelized capacity cost (\$/kW-mo), as applicable; generation technology type; nameplate capacity; and utility ownership option, contract term, and useful life.

5. On March 20, 2019, the Commission issued Decision No. C19-0249 approving the Company's Proposal to refile the confidential and highly confidential information as public within 18 months of the initial receipt of bids on November 28, 2017 (i.e., by May 28, 2019).

6. On May 24, 2019, Public Service filed a Motion Pursuant to Rule 3613(i) for Extension of the 18 Month Deadline to Execute Contracts ("Motion"). The Motion sought additional time to execute contracts for the resources approved by Decision No.

¹ To the extent there were corrected versions of confidential or highly confidential documents filed, the Company proposes to re-file as public only the most recently filed corrected version.

C18-0761 (“Phase II Decision”) in Proceeding No. 19A-0396E and to allow the Company to issue and complete a targeted acquisition process (i.e., 2019 Solar RFP) to replace two bids originally approved by the Phase II Decision, but for which the developer could not complete as proposed. The Company’s Motion requested a corresponding extension of time to release the confidential and highly confidential information pursuant to Rules 3613(j)-(k) as approved by Decision No. C19-0249.

7. In its Project Plan filed on July 1, 2019 in response to the Commission’s questions in Decision No. C19-0509-I, the Company proposed to release the confidential and highly confidential information from Proceeding No. 16A-0396E (as described in Decision No. C19-0249), and any new confidential and highly confidential information from the 2019 Solar RFP in Proceeding No. 19A-0530E (2016 ERP Amendment proceeding), as public within 15 days following the date by which all contracts for replacement projects have been fully executed.

8. On July 24, 2019, the Commission issued Decision No. C19-0623-I granting approval of the Company’s Motion and directing the Company to make appropriate filings to release the confidential and highly confidential information as public after contracts associated with the additional solicitation are executed, or after the Commission determines that no additional resources are to be awarded, as appropriate.²

9. In Settlement Testimony filed by James F. Hill on April 10, 2020 in Proceeding No. 19A-0530E, Mr. Hill stated that the Company proposed to refile Highly Confidential Attachment JFH-1 and Highly Confidential Appendix A from Proceeding No. 19A-0530E as public information. Additionally, similar to what was proposed for the bid-related information from the 2017 All-Source Solicitation in Proceeding No. 16A-

² Decision No. C19-0623-I at paragraph 13.

0396E and described in Decision No. C19-0249,³ the Company proposed to post applicable bid information from the 2019 Solar RFP in table format on the Company's website as required by Rule 3613(k), including: bidder name; levelized energy cost (\$/MWh); generation technology type; nameplate capacity; contract duration; and whether the proposed power purchase contract includes an option for the utility to purchase the facility during or at the end of the contract term.

10. As noted in the Company's final status report filed on January 11, 2021 in Proceeding No. 19A-0530E, the final contract for the replacement projects was executed on December 22, 2020. Therefore, the Company is hereby refiling as public the confidential and highly confidential information described above within 15 business days.

11. Additionally, the information required by Rule 3613(k) is publicly available on the Company's website at the "Recently Filed Notices" section near the bottom of the page at the following link:

https://www.xcelenergy.com/company/rates_and_regulations/filings

³ Decision No. C19-0249 at paragraph 8.

Dated this 14th day of January, 2021.

Respectfully submitted,

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**ATTORNEYS FOR PUBLIC SERVICE
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