

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

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IN THE MATTER OF ADVICE NO. 1814-)	
ELECTRIC OF PUBLIC SERVICE)	
COMPANY OF COLORADO TO REVISE)	
ITS COLORADO P.U.C. NO. 8 - ELECTRIC)	PROCEEDING NO. 19AL-0687E
TARIFF TO REFLECT A MODIFIED)	
SCHEDULE RE-TOU AND RELATED)	
TARIFF CHANGES TO BE EFFECTIVE ON)	
THIRTY-DAYS' NOTICE.)	

**AMENDED MOTION OF PUBLIC SERVICE COMPANY OF COLORADO
FOR COMMISSION APPROVAL OF AN ALTERNATIVE FORM OF NOTICE**

Public Service Company of Colorado (“Public Service” or the “Company”), through its undersigned counsel and pursuant to Colo. Rev. Stat. § 40-3-104(1)(c)(l)(E) and Rule 1207(b), 4 Code of Colorado Regulations 723-1, hereby files this Amended Motion requesting that the Colorado Public Utilities Commission (“Commission”) approve alternative forms of notice that will apply to Public Service's filing to implement a Modified Residential Time-of-Use (“RE-TOU”) rate schedule (“Modified Schedule RE-TOU”) and related tariff changes, applicable to all residential electric customers (“Amended Motion”). This Amended Motion amends the original Motion for Alternative Form of Notice filed by the Company on December 2, 2019 (“Motion”), contemporaneous with the filing of the Advice Letter opening this proceeding. The Amended Motion responds to a request made by Commission Staff (“Staff”) to include, as an additional form of alternative notice, email notification to residential electric and electric/gas customers for whom the Company has an email address, and who have elected to receive email notifications from the Company as well as a change to the legal

notice included in Attachment A to the original Motion, as explained below. The undersigned is authorized to represent that Staff has reviewed and approved the content of the proposed alternative forms of notice based on information available to date. In support of this Amended Motion, Public Service states as follows:

1. On December 2, 2019, pursuant to Commission Decision No. C16-1075 approving the Non-Unanimous Comprehensive Settlement Agreement (the “Three Case Settlement”) relating to Proceeding Nos. 16AL-0048E, 16A-0055E, and 16A-0139E (the “Consolidated Proceedings”), the Company filed Advice No. 1814 - Electric proposing the Modified Schedule RE-TOU and related tariff changes, to be effective January 2, 2020, all as further detailed in that filing and supporting testimony (the “Modified RE-TOU Filing”). Pursuant to § 40-3-104(1)(a), C.R.S., Public Service has assumed a January 2, 2020 effective date for rates and tariff changes in this proceeding. However, the Company requests that the tariffs be suspended by the Commission and that the Commission set a hearing on the proposed rates and tariff changes. For the reasons explained by Company witness Ms. Brooke A. Trammell in her Direct Testimony, the Company requests an effective date of January 1, 2021 after suspension.

2. Based upon the Company’s anticipation that the Commission will set the matter for hearing and suspend the effective date of the tariffs pursuant to § 40-6-111(1), C.R.S., by this Amended Motion, the Company seeks authority to provide alternative forms of notice of the Modified RE-TOU Filing.

3. The legal notices the Company proposes to provide are set forth in Attachment A to the original Motion and Revised Attachment A to this Amended Motion. As discussed below, Attachment A was published in *The Denver Post* on December 8,

2019. Revised Attachment A (“Revised Legal Notice”) will be published in *The Denver Post* on December 15, 2019. The Revised Legal Notice is substantially the same legal notice that the Company provided as Attachment A to its original Motion, with the following changes. At the request of Staff, the Company has modified the average monthly bill comparison table in the notice to add an “All in Energy Rate Comparison” that provides detail regarding the current Tier 1 and Tier 2 rates under Schedule R, compared with the proposed On-Peak, Off-Peak and Shoulder rates for proposed Modified Schedule RE-TOU. The table in the Revised Legal Notice still shows that on an annual basis, there will be no bill impact for the average residential customer in moving from Schedule R to Modified Schedule RE-TOU, as was also demonstrated by the original proposed form of notice filed as Attachment A to the Motion. However, to clarify, the “Total Average Monthly Bill” under the “Current Schedule R” heading was adjusted from \$65.42 to \$65.43, which is the same as the “Total Average Monthly Bill” under the Modified Schedule RE-TOU portion of the table, and the spelling of the word “Monthly” was corrected in the “Change in Average Monthly Bill” box. In addition to posting the Revised Legal Notice on its website¹ and keeping the file open for public inspection as mandated by § 40-3-104 (1)(c)(I), C.R.S., Public Service is seeking Commission approval to use the following alternative forms of notice:

- a. Publishing a legal notice in *The Denver Post*, in the form attached to the original Motion as Attachment A on December 8, 2019, and in the form attached hereto as Revised Attachment A on December

¹ https://www.xcelenergy.com/company/rates_and_regulations/filings at the “Recently Filed Notices” section. Effective upon the filing of this Amended Motion, the form of notice on the Company’s website will be the Revised Legal Notice provided as Revised Attachment A to this Amended Motion.

15, 2019, consistent with § 40-3-104(1)(c)(I)(A), C.R.S. As noted, both forms of notice convey the same essential information that the average customer bill is not changed in moving from Schedule R to Modified Schedule RE-TOU;²

- b. Posting a copy of the Modified RE-TOU Filing on the Company's website;
- c. Providing the customer bill onsert attached as Attachment B to the original Motion to Public Service's residential electric customers with all mailed and e-billed customer bills, which are expected to be mailed or e-billed, as applicable, during a regular billing cycle over the course of approximately five (5) weeks commencing approximately two weeks after this filing;
- d. Providing an email with a link to the Modified RE-TOU Filing as contained in the Commission's E-Filing System to those on the certificate of service for the Consolidated Proceedings and the RE-TOU Trial and RD-TDR Pilot Stakeholder group; and
- e. Providing an email to all residential electric and electric/gas customers for whom the Company has an email address and who have elected to receive email notifications from the Company, in the form shown as Attachment C to this Amended Motion, which

²The Company and Staff agree it is not necessary to run the Revised Legal Notice twice given that the change in average monthly bill does not change, in order to avoid the significant additional expense of publishing in *The Denver Post*.

will include most of the bill onsert that is Attachment B to the original Motion.³

4. By this Motion, the Company seeks authority under § 40-3-104 (1)(c)(I)(E), C.R.S., to provide alternative forms of notice for the Modified RE-TOU Filing to its residential electric customers and other stakeholders as set forth above. The Company is requesting Commission authorization to provide notice of proposed tariff changes through publication in the Legal Classified Section of *The Denver Post*, a newspaper of general circulation, consistent with § 40-3-104(1)(c)(I)(A), C.R.S. This notice procedure is less costly than the procedures prescribed by statute. Newspaper notice is a reasonable form of notice for this filing because it provides nearly all customers the opportunity to obtain notice of the filing during the first twenty (20) days of the thirty (30) day period prior to the January 2, 2020 effective date.

5. It is also reasonable because this alternative form of notice is in addition to notice that will be provided via bill onserts, which is permitted by § 40-3-104(1)(c)(I)(C), C.R.S, and the stakeholder and customer emails identified above. The December 2, 2019 Advice Letter has been filed in compliance with the publicly available Three Case Settlement and Commission Decision No. C16-1075. The notice that the Company proposes will be sufficient to notify parties that may be interested in reviewing the Company's Modified RE-TOU Filing and proposed rates.

6. The Company believes the alternative forms of notice proposed in its original Motion were reasonable given its desire to avoid inundating its customers with

³ Due to formatting issues, particularly on mobile devices, the email will not include the graphics from the bill onsert, nor will it contain the toll free contact number from the bill onsert because it is best practice to keep a customer in the communications channel they prefer or are using.

e-mail and text notifications for all filings in a manner that could potential cause confusion, especially given that the Modified Schedule RE-TOU tariff, if approved, will not apply to the vast majority of residential electric customers until 2021 at the earliest. Nonetheless, by this Amended Motion the Company is adding as an additional form of alternative notice emails, in the form of Attachment C, to all residential electric and electric/gas customers for whom it has an email address and who have elected to receive email notifications from the Company. The Company has proposed that the Modified Schedule RE-TOU and associated tariff changes become effective on January 1, 2021 for then-existing RE-TOU trial participants, with the rate rolling out to remaining residential electric customers over time as Advanced Meter deployment is completed in their service area. The Company is concerned that sending texts to customers for noticing or regulatory messages will drive customers to unsubscribe or opt out from receiving texts. The Company notes that text messaging is primarily used for outage and restoration information and not for noticing purposes. In lieu of sending text notifications of the Modified RE-TOU Filing, the Company is providing the bill onserts and emails as discussed above.

7. The Company plans to go forward with these alternative forms of notice. Should the Commission deny this Motion, the Company will proceed to provide additional notice consistent with the Commission's order.

8. The Company believes that the alternative forms of notice listed above will provide the required information concerning the Modified RE-TOU Filing to the general public and stakeholders, including the estimated impact on average electric residential customers. The proposed alternative notice should be sufficient to alert affected and

interested parties of the changes that the Company is proposing by its Modified RE-TOU Filing in a timely fashion. As such, there is good cause for the alternative form of notice requested by this Motion.

WHEREFORE, Public Service respectfully requests that the Commission approve the alternative forms of notice set forth in this Motion, as amended, pursuant to § 40-3-104(1)(c)(I)(E), C.R.S. and Rule 1207(b).

Dated this 9th day of December, 2019.

Respectfully Submitted,

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