

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

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**IN THE MATTER OF ALTERNATIVE NOTICE)
FOR ADVICE LETTER NO. 1704 – ELECTRIC)
OF PUBLIC SERVICE COMPANY OF)
COLORADO TO REVISE ITS CLEAN AIR -) PROCEEDING NO. 15A_____E
CLEAN JOBS ACT RIDER IN ITS COLORADO)
P.U.C. NO. 7 – ELECTRIC TARIFF EFFECTIVE)
JANUARY 1, 2016.)**

**APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR
COMMISSION APPROVAL OF AN ALTERNATIVE FORM OF NOTICE AND
FOR WAIVER OF RESPONSE TIME**

Public Service Company of Colorado ("Public Service" or the "Company"), pursuant to Colo. Rev. Stat. § 40-3-104(1)(c)(l)(D), hereby applies to the Commission for approval of an alternative form of notice that will apply to the Company's tariff filing to implement the Company's annual Clean Air - Clean Jobs Act Rider ("CACJA") tariff filing, effective January 1, 2016. In support of this Application, Public Service states as follows:

1. On November 2, 2015, Public Service filed Advice Letter No. 1704- Electric to implement new CACJA rates, effective January 1, 2016, as required by the CACJA clause in Public Service's Colorado P.U.C. No. 7 – Electric tariff, Sheet No. 112D and Decision No. C15-0292 in Proceeding No. 14AL-0660E. Accordingly, pursuant to the CACJA tariff and Decision No. C15-0292, Public Service's customers and the public will receive constructive notice that Public Service filed for new CACJA rates that will go into effect on January 1, 2016.

2. The Company seeks authority under Colo. Rev. Stat. § 40-3-104(l)(c)(l)(D) to provide an alternative form of notice of the CACJA rates to its retail electric customers. The particular form of notice for which the Company seeks approval has been designed to provide a means for all customers, with the potential exception of a very small percentage of customers, to obtain notice of the filing during the first twenty (20) days of the thirty (30) day period prior to the January 1, 2016, effective date.

3. Specifically, by this Application, Public Service seeks Commission approval to use the following Alternative Forms of Notice:

- a. Filing of the tariff change with the Commission and keeping open for public inspection the filing;
- b. Publishing a legal notice in *The Denver Post* for 2 consecutive Sundays --on December 6 and 13, 2015;
- c. Posting a copy of the filing on the Xcel Energy website;
- d. Providing the notice as a bill insert for all Public Service customers' electric bills expected to be delivered over the course of approximately 5 weeks commencing on November 18, 2015, with the December 2015 billing cycle;
- e. Providing the notice to Public Service electric e-bill customers via email for all Public Service customers' electric bills expected to be delivered over the course of approximately 5 weeks commencing on November 18, 2015, with the December 2015 billing cycle; and
- f. Serving electronically a copy of this tariff filing on all parties in Proceeding No. 14AL-0660E.

4. The proposed legal notice, whether actually received by customers by means of newspaper publication or as a bill insert, would apprise our electric customers of the CACJA tariff filing, CACJA rate changes, and the keeping open for public inspection of the filing and notification to the Commission of concerns or comments. A copy of the notice is attached as Exhibit 1.

5. The Company proposes to provide timely notice of the CACJA filing through publication of the notice in *The Denver Post*, as the newspaper of general circulation in the vast majority of counties in which the Company provides retail electric service. This notice is expected to reach areas of the Company's service territory in which nearly all of the Company's customers reside and receive service. The Company is aware that there are approximately 82 zip codes within its Colorado service territory in which *The Denver Post* has no physical circulation. However, less than 3,000 of the Company's approximately 1.4 million retail electric customers reside and take service within these zip codes. It is unknown how many of these customers subscribe to *The Denver Post's* Digital Edition, which is available to anyone in our Colorado service territory with Internet access. While the less than 3,000 retail customers may not have physical access to a hard-copy newspaper in which the notice will be published, they will, like all other retail customers, receive individual notice of the filing as a bill insert accompanying the next electric bill they receive following the filing. In this way, almost all retail electric customers will have access to the published notice during the first twenty (20) days of the thirty (30) day period prior to the January 1, 2016, effective date.

6. The principal reason the Company is filing for approval of an alternative form of notice in this proceeding is to avoid incurring the expense entailed in providing

statutory notice by means of direct mail. The Company estimates the cost of providing notice to affected customers through individual mailings to be in excess of \$375,000. If the Commission approves the alternative form of notice being proposed, the Company estimates that the combined cost of newspaper publication in *The Denver Post* and bill inserts will be approximately \$17,500, resulting in a savings of approximately \$357,500.

7. The Commission has recently approved a similar alternative notice request for the Company's Phase I Gas Rate Case in February 2015 in Proceeding No. 15A-0081G, Decision No. C15-0154.

8. For the reasons set forth above, there is good cause for the Commission to approve the alternative form of notice requested by this Application. In addition to filing the tariff change with the Commission and keeping it open for public inspection, this proposed form of notice will provide direct notice to all retail electric customers by means of (1) bill insert mailing, (2) email to e-bill customers, and (3) publication of a Legal Notice in *The Denver Post* during the first twenty (20) days of the thirty (30) day period prior to the January 1, 2016, effective date, as required by Colo. Rev. Stat. § 40-3-104(l)(c) and Commission Rules. Less than 3,000 retail customers may not have physical access to a hard copy of *The Denver Post*, the newspaper in which the notice will be published; however, these customers will, like all other retail customers, receive individual notice of the filing as a bill insert accompanying their December 2015 electric bill.

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

10. Public Service respectfully requests that response time to this Application for Alternative Form of Notice be waived.

INFORMATION REQUIRED BY RULES 3002(b) AND (c)

11. **Name and Address of Applicant.** The Applicant is Public Service Company of Colorado. Public Service's principal office is located at 1800 Larimer Street, Suite 1400, Denver, Colorado 80202.

12. **Name Under Which Applicant will Provide Service in Colorado.** All operations conducted by the Company in Colorado shall be conducted under the name of Public Service Company of Colorado d/b/a Xcel Energy.

13. **Representatives to Whom Inquiries Concerning the Application Should be Made.** Copies of all notices, other correspondence, and all inquiries concerning this Application should be sent to:

Scott B. Brockett
Director, Regulatory Administration
Xcel Energy Services Inc.
1800 Larimer Street, Suite 1400
Denver, Colorado 80202
Phone: 303-294-2164
Fax: 303-294-2329
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and

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14. **Agreement to Comply with 4 CCR 723-4002(b)(IV)-(VI).** Public Service has read, and agrees to abide by, the provisions of 4 CCR 723-4-4002(b)(IV)-(VI).

15. **Description of Existing Operations and General Colorado Service Area.** Public Service provides electric and gas public utility service in numerous areas throughout the State of Colorado. The Company also provides steam utility service within the downtown area of Denver. A full listing of Public Service's existing operations and service areas is set forth in Public Service's tariffs on file with the Commission.

16. **Location of Hearing.** The Company seeks a ruling on this Application without hearing. However, if a hearing is held on this Application, Public Service prefers that the hearing be held at the Commission's offices in Denver, Colorado.

17. **Acknowledgement.** Public Service has read and agrees to abide by the provisions of 4 CCR 723-4002(b)(XI)(A)-(C).

18. **Statement Under Oath.** The undersigned counsel for Public Service states under penalty of perjury that the contents of the Application are true, accurate, and correct.

19. **Information Required by Rule 3002(c).** Public Service hereby incorporates by reference the following information, which is on file with the Commission in Docket No. 06M-525EG:

- a. A copy of Public Service's Amended Articles of Incorporation, which was last filed on October 3, 2006;
- b. The name, business address and title of each of Public Service's officers and directors, which was last filed on March 26, 2015;
- c. The names and addresses of affiliated companies that conduct

- business with Public Service, which was last filed on March 26, 2015;
- d. The name and address of Public Service's agent for service of process, which was last filed on October 3, 2006; and
 - e. The audited balance sheet, income statement, statement of retained earnings, and statement of cash flows, which was last filed on March 26, 2015.

WHEREFORE, Public Service Company of Colorado respectfully requests that the Commission approve the alternative form of notice set forth in this Application.

Dated this 2nd day of November, 2015.

Respectfully submitted,

By: /s/ William M. Dudley
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and

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**ATTORNEYS FOR PUBLIC SERVICE
COMPANY OF COLORADO**