

BEFORE THE CITY COUNCIL OF
THE CITY OF COLORADO SPRINGS

IN THE MATTER OF THE REVISION)
OF THE OPEN ACCESS) DECISION & ORDER 22-01 (OATT)
TRANSMISSION TARIFF OF)
COLORADO SPRINGS UTILITIES)

1. Colorado Springs Utilities, an enterprise of the City of Colorado Springs (“City”), a Colorado home-rule city and municipal corporation, (“Utilities”), conducted a review of its Open Access Transmission Tariff (“OATT”). During that review, Utilities identified needed changes. Utilities’ rate case filing contains all of these revisions and changes.
2. Utilities’ 2022 OATT filing does not include base rate changes, but proposes changes to the terms and conditions of OATT service.
3. Utilities’ OATT is a part of the collective tariffs that govern Utilities in accordance with the Colorado Springs City Code. The OATT establishes terms and conditions for wholesale electric service. Utilities is proposing the following OATT changes in its filing:
 - a) Remove – The current OATT contains sections that allow Utilities to participate in Joint Transmission Dispatch Service administered by Public Service Company of Colorado (“Public Service”), as well as a related schedule and attachment.
 - b) Add Western Energy Imbalance Service – Participation in the Western Energy Imbalance Service (“WEIS”) administered by Southwest Power Pool (“SPP”) broadens the pool of electric generating resources to serve aggregate demand as compared to Joint Transmission Dispatch Service. In addition, it offers increased granularity with five-minute real-time increments. Combined, these WEIS attributes offer an increased opportunity for financial benefit to Utilities. The proposed modifications add WEIS definitions and other conforming terms and conditions, modify Schedule 4, Energy Imbalance Service, add Schedule 8A, WEIS Joint Transmission Service, and replace the Attachment M Joint Dispatch Transmission Service provisions with the WEIS market provisions.
4. Updating the OATT in this manner permits WEIS participation, aligns the treatment of Network Resources and Real Power Losses and the Indemnification standard to the SPP business model, and describes the business terms for WEIS participation.
5. The proposed effective date for Utilities’ tariff changes is August 1, 2022.
6. Utilities filed its OATT changes with the City Auditor, Mrs. Jacqueline Rowland, and with the City Attorney, Ms. Wynetta Massey, on May 24, 2022. Also on May 24, 2022, Utilities then filed the enterprise’s formal proposals with the City Clerk, Ms. Sarah Johnson, and a complete copy of the proposals was placed in the City Clerk’s Office for public inspection.

Notice of the filing was published on-line at www.csu.org on May 24, 2022, and in *The Gazette* on May 26, 2022. These various notices and filings comply with the requirements of §12.1.108 of the City Code and the applicable provision of the Colorado Revised Statutes. Copies of the published and mailed notices are available upon request. Additional public notice was provided through Utilities' website, www.csu.org, and a complete copy of the proposals was placed on that website for public inspection.

7. On June 28, 2022, the City Council held a public hearing concerning the proposed changes to the OATT. This hearing was conducted in accordance with §12.1.108 of the City Code, the procedural rules adopted by City Council, and the applicable provisions of state law.
8. President of the Council Tom Strand commenced the rate hearing.
9. The presentations started with Mr. David Beckett of the City Attorney's Office. Mr. Beckett first presented the rate hearing agenda.
10. Mr. Beckett then briefed the City Council on its power to establish rates, charges, and regulations for Utilities' services. In setting rates, charges, and regulations for Utilities' services, the City Council is sitting as a legislative body because the setting of rates, charges, and regulations is necessary to carry out existing legislative policy of operating the various utility systems. However, unlike other legislative processes, the establishment of rates, charges, and regulations is analogous to a quasi-judicial proceeding and requires a decision based upon evidence in the record and the process is not subject to referendum or initiative. Mr. Beckett provided information on the statutory and regulatory requirements on rate changes, which rates, terms and conditions must be just and reasonable.
11. At the conclusion of his presentation, Mr. Beckett polled the City Council Members concerning any *ex parte* communication that they may have had during the pendency of this proceeding. City Council indicated that no *ex parte* communications were received.
12. Mr. Tristan Gearhart, Utilities' Chief Planning and Finance Officer, provided the enterprise's proposals.
13. In discussing the procedural compliance, Mr. Gearhart reiterated that Utilities filed its OATT changes with the City Clerk on May 24, 2022, and that legal notice was published in *The Gazette* on May 26, 2022.
14. Mr. Gearhart then presented Utilities proposed changes to the OATT. He explained Utilities desire to leave the Public Service-administered Joint Transmission Dispatch Service arrangement in favor of joining the SPP-administered WEIS.
15. Specifically, Mr. Gearhart explained the history and purpose of Utilities OATT, noting that it allows Utilities to generate additional revenue when Utilities moves other utilities' electricity at wholesale across our electric transmission wires.

16. Mr. Gearhart further explained that the SPP-administered WEIS provides an increased opportunity for financial benefit to Utilities as compared to the Public Service-administered Joint Transmission Dispatch Service because it includes a greater number of participating utilities, thereby broadening the pool of resources available to most economically serve the aggregate demand.
17. In summarizing the changes to the OATT, Mr. Gearhart stated that the references to the Public Service-administered Joint Transmission Dispatch Service are being replaced with the appropriate references to the SPP-administered WEIS. Specifically, this requires adding WEIS-specific definitions; modifying Schedule 4, Energy Imbalance Service; adding Schedule 8A, WEIS Joint Transmission Service; modifying Schedule 9, Generator Imbalance Service; and replacing Attachment M so it sets forth the WEIS Market Provisions.
18. Mr. Gearhart then noted that the City Auditor reviewed Utilities' filing and found no findings.
19. After Utilities' presentation, President Strand opened the floor for public comment. No comments were made.
20. Following the opportunity for public comment, President Strand opened the floor to questions from the City Council. No comments or questions were presented.
21. Based on the lack of questions or comments, President Strand determined that neither a break nor executive session were necessary.
22. Mr. Beckett then polled the Council Members regarding the issues central to the OATT revisions.
23. The following are the proposed changes and the votes by City Council addressing the Utilities Rules and Regulations:
 - a) Should Utilities modify the terms and conditions of its Open Access Transmission Tariff, and a related schedule and attachment, to remove references to Joint Dispatch Transmission Service administered by Public Service Company of Colorado?

The City Council held that Utilities shall modify the modify the terms and conditions of its Open Access Transmission Tariff, and a related schedule and attachment, to remove references to Joint Dispatch Transmission Service administered by Public Service Company of Colorado.
 - b) Should Utilities modify the terms and conditions of its Open Access Transmission Tariff, as well as related new schedules and attachments, to incorporate the language necessary to join the Western Energy Imbalance Service administered by Southwest Power Pool?

The City Council held that Utilities shall modify the terms and conditions of its Open Access Transmission Tariff, as well as related new schedules and attachments, to incorporate the language necessary to join the Western Energy Imbalance Service administered by Southwest Power Pool.

24. President Strand then concluded the 2022 OATT Hearing.

ORDER

THEREFORE, IT IS HEREBY ORDERED that:

The Open Access Transmission Tariff sheets as attached to the Resolution are adopted and will be effective on and after August 1, 2022. Such tariff sheets shall be published and held open for public review and shall remain effective until changed by subsequent Resolution duly adopted by the City Council.

Dated this 12th day of July, 2022.

CITY OF COLORADO SPRINGS

Council President

ATTEST:

City Clerk