

RESOLUTION NO. 174 -24

A RESOLUTION REGARDING CERTAIN CHANGES TO  
COLORADO SPRINGS UTILITIES' UTILITIES RULES AND  
REGULATIONS

WHEREAS, Colorado Springs Utilities (Utilities) proposed modifications to the Utilities Rules and Regulations; and

WHEREAS, Utilities proposed modifications to electric line extension fees and policies including updating fees to full cost, addition of congested space fees, and replacement of revenue guarantee contracts with fees based on time and materials cost with option for recovery agreement; and

WHEREAS, Utilities proposed modifications to natural gas line extension fees replacing percentage based fees with cost per foot based fees and fees based on time and materials cost, updating fees to full cost, addition of congested space fees, and replacement of refund contracts with option for recovery agreement; and

WHEREAS, Utilities proposed updates to general, electric, natural gas, water, wastewater, and development fees to bring them to current cost; and

WHEREAS, Utilities proposed the addition of new development fees for wastewater analysis report and construction drawing review; and

WHEREAS, Utilities proposed the addition of annexation application fees applicable when annexation applications require utility studies and/or analysis not already included in Utilities' existing system plans; and

WHEREAS, Utilities proposed addition of Large Load Interconnection Study requirements for customers requesting interconnection of loads exceeding 5 MW for electric, 2.5 Dth per hour for natural gas, .25 MGD per day for water, and .25 MGD per day for wastewater; and

WHEREAS, Utilities proposed addition of Large Load Interconnection Study Fees for customers requesting interconnection of loads exceeding 20 MW for electric, 10 Dth per hour for natural gas, 1 MGD per day for Water, and 1 MGD per day for Wastewater; and

WHEREAS, Utilities proposed addition of an alternate water and wastewater recovery agreement, unit recovery charge computation method, incorporating a compound interest factor; and

WHEREAS, Utilities proposed changes as part of the Energy-Wise Time-of-Day (TOD) program; and

WHEREAS, Utilities proposed other clerical modifications; and

WHEREAS, Utilities proposed to make the tariff changes effective January 1, 2025, with the exception of Energy-Wise TOD changes effective October 1, 2025; and

WHEREAS, the details of the changes noted above are reflected in Utilities' 2025 Rate Case; and

WHEREAS, City Council finds Utilities' proposed modifications prudent; and

WHEREAS, Utilities provided public notice of the proposed changes and complied with the requirements of the City Code for changing its utilities rules and regulations; and

WHEREAS, specific fees, policy changes, and changes to any terms and conditions of service are set out in the attached tariffs for adoption with the final City Council Decision and Order in this case.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:**

Section 1. That Colorado Springs Utilities Tariff, City Council Volume No. 6, Utilities Rules and Regulations shall be revised as follows:

Effective January 1, 2025

<b>City Council Vol. No. 6</b>		
<b>Sheet No.</b>	<b>Title</b>	<b>Cancels Sheet No.</b>
First Revised Sheet No. 1	GENERAL	Original Sheet No. 1
First Revised Sheet No. 2	GENERAL	Original Sheet No. 2
First Revised Sheet No. 3	GENERAL	Original Sheet No. 3
Third Revised Sheet No. 4	GENERAL	Second Revised Sheet No. 4
First Revised Sheet No. 4.1	GENERAL	Original Sheet No. 4.1
Third Revised Sheet No. 13	GENERAL	Second Revised Sheet No. 13
Third Revised Sheet No. 14	GENERAL	Second Revised Sheet No. 14
Original Sheet No. 14.1	GENERAL	
Third Revised Sheet No. 15	GENERAL	Second Revised Sheet No. 15
First Revised Sheet No. 16	GENERAL	Original Sheet No. 16
First Revised Sheet No. 17	GENERAL	Original Sheet No. 17
First Revised Sheet No. 18	GENERAL	Original Sheet No. 18
Third Revised Sheet No. 19	GENERAL	Second Revised Sheet No. 19
Second Revised Sheet No. 20	GENERAL	First Revised Sheet No. 20
First Revised Sheet No. 20.1	GENERAL	Original Sheet No. 20.1
Original Sheet No. 20.2	GENERAL	
First Revised Sheet No. 21	GENERAL	Original Sheet No. 21
First Revised Sheet No. 33	GENERAL	Original Sheet No. 33
First Revised Sheet No. 59	ELECTRIC	Original Sheet No. 59
First Revised Sheet No. 60	ELECTRIC	Original Sheet No. 60
First Revised Sheet No. 61	ELECTRIC	Original Sheet No. 61
First Revised Sheet No. 62	ELECTRIC	Original Sheet No. 62

Effective January 1, 2025

City Council Vol. No. 6		
Sheet No.	Title	Cancels Sheet No.
First Revised Sheet No. 72	NATURAL GAS	Original Sheet No. 72
First Revised Sheet No. 73	NATURAL GAS	Original Sheet No. 73
Second Revised Sheet No. 74	NATURAL GAS	First Revised Sheet No. 74
First Revised Sheet No. 75	NATURAL GAS	Original Sheet No. 75
First Revised Sheet No. 76	NATURAL GAS	Original Sheet No. 76
First Revised Sheet No. 77	NATURAL GAS	Original Sheet No. 77
First Revised Sheet No. 78	NATURAL GAS	Original Sheet No. 78
First Revised Sheet No. 79	NATURAL GAS	Original Sheet No. 79
Second Revised Sheet No. 80	NATURAL GAS	First Revised Sheet No. 80
Second Revised Sheet No. 81	NATURAL GAS	First Revised Sheet No. 81
Fourth Revised Sheet No. 91	WATER	Third Revised Sheet No. 91
Second Revised Sheet No. 91.4	WATER	First Revised Sheet No. 91.4
First Revised Sheet No. 94	WATER	Original Sheet No. 94
First Revised Sheet No. 95	WATER	Original Sheet No. 95
Original Sheet No. 95.1	WATER	
First Revised Sheet No. 116	WASTEWATER	Original Sheet No. 116
Original Sheet No. 116.1	WASTEWATER	

Effective October 1, 2025

City Council Vol. No. 6		
Sheet No.	Title	Cancels Sheet No.
First Revised Sheet No. 12	GENERAL	Original Sheet No. 12
Second Revised Sheet No. 21	GENERAL	First Revised Sheet No. 21
First Revised Sheet No. 66	ELECTRIC	Original Sheet No. 66
First Revised Sheet No. 67	ELECTRIC	Original Sheet No. 67
First Revised Sheet No. 67.1	ELECTRIC	Original Sheet No. 67.1

Section 2. The attached Tariff Sheets, Council Decision and Order, and other related matters are hereby approved and adopted.

Dated at Colorado Springs, Colorado, this 12<sup>th</sup> day of November 2024.

  
 Randy Helms, Council President

ATTEST:

  
 Sarah B. Johnson, City Clerk



**Utilities Rules and Regulations  
(URR)**

**Final Tariff Sheets**

**Effective January 1, 2025**



**UTILITIES RULES AND REGULATIONS**

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**UTILITIES RULES AND REGULATIONS**

**GENERAL**

**B. Fees**

Utilities may charge and collect fees as described in the below table, by contract, or as established by City Code Section 14.8.109 for Stormwater service fees. For fees associated with the Development Annexation Application process, see Sections I.C., Development Fees and Section I.D. Annexation Application Fees.

DESCRIPTION	AMOUNT	REFERENCE
<b>GENERAL</b>		
Trip Fee and/or Restoration of Service Fee <ul style="list-style-type: none"> <li>• Residential</li> <li>• Nonresidential</li> <li>• Additional charge for after-hours restorations (outside of Utilities normal working business hours)</li> </ul>	\$70.00 \$70.00 \$40.00	General, Sheet Nos. 19, 37-38, 40
Standby Service Fee	\$250.00	General, Sheet No. 20
Large Load Interconnection Study Fees <ul style="list-style-type: none"> <li>• Electric Fee Advance Payment               <ul style="list-style-type: none"> <li>○ 20 MW base fee</li> <li>○ Additional charge per MW over 20 MW</li> <li>○ 100 MW base fee</li> <li>○ Additional charge per MW over 100 MW</li> <li>○ 200 MW and greater fee</li> </ul> </li> <li>• Natural Gas Fee</li> <li>• Water Fee</li> <li>• Wastewater Fee</li> </ul>	\$35,000.00 \$1,000.00 \$150,000.00 \$1,000.00 \$250,000.00 \$1,000.00 \$2,000.00 \$2,000.00	General, Sheet No. 20
Returned Payment Fee (whether returned/refused payment was attempted by check, EFT, debit/credit card or other means).	\$30.00	General, Sheet No. 24
Opt-Out Program Fee (for nonstandard meters) <ul style="list-style-type: none"> <li>• One-time fee to enter program</li> <li>• Quarterly manual read charge</li> </ul>	\$109.00 \$35.00	General, Sheet Nos. 45-46

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**UTILITIES RULES AND REGULATIONS**

**GENERAL**

**Fees – cont'd**

DESCRIPTION	AMOUNT	REFERENCE
<b>ELECTRIC</b>		
<p>Electric Line Extension Fees (Single Service only)</p> <ul style="list-style-type: none"> <li>• Inspection and Connection Fee</li> <li>• Return Trip Fee (including late appointment cancellations)</li> <li>• Distribution Charge (Contribution in Aid of Construction) <ul style="list-style-type: none"> <li>○ Primary distribution line*</li> <li>○ 3-phase 200 amp mainline</li> <li>○ 3-phase 600 amp mainline</li> <li>○ Additional charge for congested space</li> </ul> </li> </ul> <p>* Commercial and industrial extensions are customer installed, with all trenching, compaction, etc.; all circuit-feet lengths are as estimated by Utilities. Primary distribution line fee not applicable.</p>	<p>\$585.00</p> <p>\$450.00</p> <p>\$60.47/linear foot</p> <p>\$55.83/circuit foot</p> <p>Time and Materials Cost</p> <p>\$11.55/linear foot</p>	Electric, Sheet Nos. 59-65
Electric Temporary Service Connection Fee	\$260.00	Electric, Sheet Nos. 65-66
Pedestal Damage Fee	Cost of Repairs	Electric, Sheet No. 66
<p>Renewable Energy System Interconnection Application Review Fee</p> <ul style="list-style-type: none"> <li>• Less than or equal to 150 kW</li> <li>• Greater than 150 kW</li> </ul>	<p>\$100.00</p> <p>\$1,000.00</p>	Electric, Sheet No. 67.1
<b>NATURAL GAS</b>		
<p>Natural Gas Line Extension Fees (Single Service only)</p> <ul style="list-style-type: none"> <li>• Inspection and Connection Fee</li> <li>• Return Trip Fee</li> <li>• Inspection and Connection Fee for other polyethylene services less than 2" in diameter (Per Stub)</li> <li>• Distribution Charge (Contribution in Aid of Construction) <ul style="list-style-type: none"> <li>○ Natural Gas main and service stub</li> <li>○ Natural Gas mainline <ul style="list-style-type: none"> <li>• Less than 150 PSIG</li> <li>• Greater than or equal to 150 PSIG</li> </ul> </li> <li>○ Additional charge for congested space</li> </ul> </li> </ul>	<p>\$585.00</p> <p>\$450.00</p> <p>\$496.85</p> <p>\$30.75/linear foot</p> <p>\$33.71/linear foot</p> <p>Time and Materials Cost</p> <p>\$11.55/linear foot</p>	Natural Gas, Sheet Nos. 72-81

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**UTILITIES RULES AND REGULATIONS**

**GENERAL**

**Fees – cont'd**

DESCRIPTION	AMOUNT	REFERENCE
<b>ELECTRIC AND NATURAL GAS LINE EXTENSION</b>		
Electric and Natural Gas Fees (Joint Service)		Electric, Sheet Nos. 59-65 Natural Gas, Sheet Nos. 72-81
<ul style="list-style-type: none"> <li>• Inspection and Connection Fee</li> </ul>	\$900.00	
<ul style="list-style-type: none"> <li>• Inspection and Connection Fee for other polyethylene services less than 2" in diameter (Per Stub)</li> </ul>	\$779.32	
<ul style="list-style-type: none"> <li>• Return Trip Fee (including late appointment cancellations)</li> </ul>	\$734.00	
<ul style="list-style-type: none"> <li>• Electric Distribution Charge (Contribution in Aid of Construction)               <ul style="list-style-type: none"> <li>○ Primary distribution line*</li> <li>○ 3-phase 200 amp main line</li> <li>○ 3-phase 600 amp main line</li> <li>○ Additional charge for congested space</li> </ul> </li> </ul>	\$54.85/linear foot \$50.66/circuit foot Time and Materials Cost \$5.78/linear foot	
<p>* Commercial and industrial extensions are customer installed, with all trenching, compaction, etc.; all circuit-feet lengths are as estimated by Utilities. Primary distribution line fee not applicable.</p>		
<ul style="list-style-type: none"> <li>• Natural Gas Distribution Charge (Contribution in Aid of Construction)               <ul style="list-style-type: none"> <li>○ Natural Gas main and service stub</li> <li>○ Natural Gas mainline                   <ul style="list-style-type: none"> <li>• Less than 150 PSIG</li> <li>• Greater than or equal to 150 PSIG</li> </ul> </li> <li>○ Additional charge for congested space</li> </ul> </li> </ul>	\$21.12/linear foot  \$23.83/linear foot Time and Materials Cost \$5.78/linear foot	
<ul style="list-style-type: none"> <li>• Cancellation Fees (Reduced in certain circumstances per Utilities' policy)               <ul style="list-style-type: none"> <li>○ Step One Fee</li> <li>○ Step Two Fee</li> <li>○ Step Three Fee</li> </ul> </li> </ul>	% of Applicable Return Trip Fee 10% 25% 50%	Electric, Sheet No. 65 Natural Gas, Sheet No. 81

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<b>UTILITIES RULES AND REGULATIONS</b>
<b>GENERAL</b>

**Fees – cont'd**

DESCRIPTION	AMOUNT	REFERENCE
<b>WASTEWATER</b>		
Wastewater non-compliance with Utilities' <i>Line Extension and Service Standards</i>		Wastewater, Sheet No. 103
<ul style="list-style-type: none"> <li>• First violation</li> <li>• Second &amp; subsequent violations</li> </ul>	\$0.00 - \$500.00 \$500.00 - \$1,000.00	
Wastewater, Emergency and After-Hours Inspection	Time and Materials Cost	Wastewater, Sheet No. 103
Residential Wastewater Fees (including mobile homes, townhouses)		Wastewater, Sheet No. 103
<ul style="list-style-type: none"> <li>• New Connection</li> <li>• Additional installation, repair or alteration</li> <li>• Reinspection</li> </ul>	\$160.00 \$200.00 \$100.00	
Multi-Family Wastewater Fees, per service line		Wastewater, Sheet No. 103
<ul style="list-style-type: none"> <li>• New Connection</li> <li>• Additional installation, repair or alteration</li> <li>• Reinspection</li> </ul>	\$200.00 \$240.00 \$140.00	
Nonresidential Wastewater, without grease trap		Wastewater, Sheet No. 103
<ul style="list-style-type: none"> <li>• New Connection</li> <li>• Additional installation, repair or alteration</li> <li>• Reinspection</li> </ul>	\$200.00 \$240.00 \$140.00	
Nonresidential Wastewater, with grease trap or sand/oil interceptor		Wastewater, Sheet No. 103
<ul style="list-style-type: none"> <li>• New Connection</li> <li>• Additional installation, repair or alteration</li> <li>• Reinspection</li> </ul>	\$350.00 \$390.00 \$290.00	
Wastewater Small Discharger (between 1 and 49,999 gallons per day on average) Permit Fee, per calendar year (no pro-rata)	\$1,500.00	Wastewater, Sheet No. 117
Wastewater Large Discharger (exceeding 50,000 gallons per day on average) Permit Fee, per calendar year (no pro-rata)	\$2,200.00	Wastewater, Sheet No. 117
Wastewater Zero Discharger Permit Fee, per calendar year (no pro-rata)	\$150.00	Wastewater, Sheet No. 117

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**UTILITIES RULES AND REGULATIONS**

**GENERAL**

C. Development Fees (De minimis reviews are not charged development application fees.)

FEE	AMOUNT	PAYABLE AT TIME OF:
• City of Colorado Springs major development application review, per application	\$800.00	Plan submittal to City Land Use Review
• City of Colorado Springs minor development application review, per application	\$600.00	Plan submittal to City Land Use Review
• City of Manitou Springs development application review, per application	\$200.00	Review of submittal
• El Paso County development application review, per application	\$200.00	Review of submittal
• All other jurisdictions' development application review, per application	\$200.00	Review of submittal
• Electric and/or gas line extension design* <ul style="list-style-type: none"> <li>○ Electric residential               <ul style="list-style-type: none"> <li>• Per extension contract, plus \$249.00</li> <li>• Per lot \$49.50</li> </ul> </li> <li>○ Electric commercial, per building \$597.00</li> <li>○ Natural Gas               <ul style="list-style-type: none"> <li>• Per extension contract, plus \$249.00</li> <li>• Per service stub \$49.50</li> </ul> </li> </ul>		Submittal of extension contract, except electric commercial to be submitted at time of service contract
* Electric and/or gas line extension design fees not applicable Electric 3-phase 600 amp main line extensions and Natural Gas mainline extensions greater than 150 psig. Actual extension design cost included in Time and Materials Cost extension fees.		
• Water or wastewater recovery agreement contract application fee <ul style="list-style-type: none"> <li>○ Contracts involving 50 acres or less \$2,210.00</li> <li>○ Contract involving more than 50 acres \$4,413.00</li> </ul>		Submittal of recovery agreement request
• Water or wastewater recovery agreement processing fee, per service contract with recovery agreement reimbursements	\$62.00	Service contract execution
• Utilities' preparation of Hydraulic Analysis Reports – Large Application, for sites greater than 960 acres	\$6,400.00	Prior to Development Plan approval or upon invoicing
• Revisions, per hour	\$200.00	
• Utilities' preparation of Hydraulic Analysis Reports – Complex Application, for sites greater than 40 acres and less than 960 acres, and located within multiple pressure zones	\$4,800.00	Prior to Development Plan approval or upon invoicing
• Revisions, per hour	\$200.00	

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<b>UTILITIES RULES AND REGULATIONS</b>
<b>GENERAL</b>

**Development Fees – cont’d**

FEE	AMOUNT	PAYABLE AT TIME OF:
<ul style="list-style-type: none"> <li>• Utilities’ preparation of Hydraulic Analysis Reports – Moderately Complex Application, for sites greater than 40 acres and less than 960 acres, and located within a single pressure zone and no coordination with other pressure zones required and for sites less than 40 acres, and located within multiple pressure zones</li> </ul>	\$3,200.00	Prior to Development Plan approval or upon invoicing
<ul style="list-style-type: none"> <li>• Revisions, per hour</li> </ul>	\$200.00	
<ul style="list-style-type: none"> <li>• Utilities’ preparation of Hydraulic Analysis Reports – Basic Application, for less than 40 acres and located with a single pressure zone and no coordination with other pressure zones required</li> </ul>	\$1,600.00	Prior to Development Plan approval or upon invoicing
<ul style="list-style-type: none"> <li>• Revisions, per hour</li> </ul>	\$200.00	
<ul style="list-style-type: none"> <li>• Fire flow reports               <ul style="list-style-type: none"> <li>○ New Development                   <ul style="list-style-type: none"> <li>• Initial two fire flow reports - within twelve-month period</li> <li>• Additional reports, per hour with minimum one-hour charge</li> </ul> </li> <li>○ Existing Hydrant Reports*                   <ul style="list-style-type: none"> <li>• First request, per site</li> <li>• Additional request, per site, per insistence</li> </ul> </li> </ul> </li> </ul>	\$0.00  \$200.00  \$0.00 \$50.00	Prior to construction plan approval or upon invoicing
<p><i>*Refer to the current edition of the <u>Line Extension and Service Standards</u> – Water for form detailed information pertaining to fire flow report Charges</i></p>		
<ul style="list-style-type: none"> <li>• Utilities’ preparation of Wastewater Analysis Report – Large Application, for sites greater than 960 acres</li> </ul>	\$4,800.00	Prior to Development Plan approval or upon invoicing
<ul style="list-style-type: none"> <li>• Revisions, per hour</li> </ul>	\$200.00	
<ul style="list-style-type: none"> <li>• Utilities’ preparation of Wastewater Analysis Reports – Moderately Complex Application, for sites greater than 40 acres and less than 960 acres</li> </ul>	\$3,200.00	Prior to Development Plan approval or upon invoicing
<ul style="list-style-type: none"> <li>• Revisions, per hour</li> </ul>	\$200.00	
<ul style="list-style-type: none"> <li>• Utilities’ preparation of Wastewater Analysis Reports – Basic Application, for sites less than 40 acres</li> </ul>	\$1,600.00	Prior to Development Plan approval or upon invoicing
<ul style="list-style-type: none"> <li>• Revisions, per hour</li> </ul>	\$200.00	

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<b>UTILITIES RULES AND REGULATIONS</b>
<b>GENERAL</b>

**Development Fees – cont'd**

FEE	AMOUNT	PAYABLE AT TIME OF:
<ul style="list-style-type: none"> <li>• Construction Drawing Review               <ul style="list-style-type: none"> <li>○ First three submittals</li> <li>○ Additional submittals, per submittal</li> <li>○ Submittal for signatures</li> <li>○ Revisions, per revision</li> <li>○ Utility Service Plan (service lines only, per submittal, no signature fee required)</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>\$0.00</li> <li>\$500.00</li> <li>\$100.00</li> <li>\$200.00</li> <li>\$300.00</li> </ul>	Prior to Construction Drawing approval or upon invoicing

**D. Annexation Application Fees**

Annexation requests requiring utility studies and/or analysis not already included in Utilities' existing system plans, including but not limited to, utility routing studies, interim wholesale service analysis, utility service territory invasion analysis, water quality studies, stranded asset analysis, and facility studies will be assessed Annexation Application Fees. De minimis reviews are not charged Annexation Application Fees.

FEE	AMOUNT	PAYABLE AT TIME OF:
<ul style="list-style-type: none"> <li>• Annexation Application Fees, per hour</li> </ul>	<ul style="list-style-type: none"> <li>\$200.00</li> </ul>	Prior to review or analysis release or upon invoicing

**E. Trip Fee**

Utilities will charge a Trip fee as defined in these Utilities Rules and Regulations for purposes including but not limited to: inspection, connection, reinspection, field collection, restoration, and other instances requiring a trip by Utilities. See Section I.B. Fee Table.

**F. Failed Reinspection**

All new gas and water meter loops must meet the standards set forth in Utilities' service applicable *Line Extension and Service Standards*. If a gas or water meter loop fails to pass the initial inspection, the meter loop will be tagged with a rejection notice. All deficiencies must be corrected before a reinspection is requested or Trip fee will be charged for each failed reinspection return trip by Utilities. See Section I.B. Fee Table.

**G. Convenience Fees**

Third parties who process bill payments to Utilities for Customers' convenience may determine and collect from Customers any reasonable fee for their services.

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## UTILITIES RULES AND REGULATIONS

### GENERAL

#### H. Development – Financial Responsibility for New Premises

The contractor or builder of a new or renovated Premises requesting or using utility services for that Premises will remain solely responsible for such services until both of the following occur: (i) a Certificate of Occupancy is issued by the Pikes Peak Regional Building Department for the Premises and (ii) another Customer assumes responsibility for the services for that Premises or the services for that Premises are terminated at the request of the contractor or builder.

#### I. Standby Service Fee

In accordance with City Code, a Standby Service Fee, applicable to, but not limited to standby services and relocations, will be charged associated with excavations near underground facilities. See Section I.B. Fee Table.

#### J. Large Load Interconnection Study Fees

##### 1. General

Subject to the terms and conditions of these Utilities Rules and Regulations, *Line Extension and Service Standards* for each service, and program rules, Customers (or potential Customers) requesting future utility services are required to complete a request for reserving resource and distribution capacity application when potential new and/or expanding loads equal or exceed the following:

- a. Electric – Five megawatts (MW)
- b. Natural Gas – Two and one-half Dth per hour
- c. Water – One quarter of one million gallons per day
- d. Wastewater – One-quarter of one million gallons per day

##### 2. Large Load Interconnection Study Fees and Fee Advance Payments

As defined in *Line Extension and Service Standards* for each service, request for potential new and/or expanding loads that equal or exceed the loads specifications provided below require payment of large load interconnection study fee(s) and/or fee advance payments(s), payable at the time of study request, for each service meeting or exceeding the load size as defined in this section. Large Load Interconnection Study Fees and Advance Payments are in addition to all other applicable fees and charges as defined in Utilities' tariffs, including these Utilities Rules and Regulation. Electric Large Load Interconnection Study Fee Advance Payments in the form of cash are required at the time of study request. In the event actual electric study costs

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## UTILITIES RULES AND REGULATIONS

### GENERAL

exceed the advance payment amounts, the Customer will be required to pay the balance upon invoicing. In the event actual electric study costs are less than the advance payment amounts, the balance will be refunded to the Customer without interest. Natural Gas, Water and Wastewater fee amounts are payable at the time of study request and are nonrefundable. See Section I.B. Fee Table.

- a. Electric – 20 MW
  - b. Natural Gas – 10 Dth per hour
  - c. Water – One million gallons per day
  - d. Wastewater - One million gallons per day
3. Upon application and payment of applicable study fees, Utilities will review the feasibility and requirements of providing service for new and/or expanding loads. Subject to Utilities' study results and determination of feasibility, Customers may submit a written notice of intent to interconnect large load in accordance with Utilities' program rules. Subject to availability, Utilities' services to large loads, as defined in this section, will be provided to eligible Customers on a first-come, first-served basis based on the date notice of intent to interconnect large load is received by Utilities. Connection to a Utilities system requires Utilities approval, which is contingent upon the customer satisfying all requirements in Utilities' tariffs, including these Utilities Rules and Regulations, *Line Extension and Service Standards*, City Code, and all applicable program rules and policies.

## II. STARTING SERVICE

### A. Application and Financial Responsibility

#### 1. Application

- a. Persons requesting utility service must complete an application for service by contacting Utilities.
- b. A natural person requesting utility service must be of full legal age. Utilities shall require some form of identification.
- c. Utilities' acceptance of an application constitutes a binding contractual agreement between Utilities and the Customer, including all applicable provisions of Utilities' Tariffs.
- d. Applicable fees must be paid at the start of service. See Section I.B. Fee Table.



**UTILITIES RULES AND REGULATIONS**

**GENERAL**

2. Financial Responsibility

Each Financially Responsible Person—which, as defined in these Utilities Rules and Regulations, includes the Customer, all Users as defined in the City Code, or any Person who is liable because of the effect of other applicable laws or court orders shall be obligated to Utilities for payment, whether or not service is listed in that individual’s name. (See City Code Section 12.1.101 “USER” (B) for additional information).

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**UTILITIES RULES AND REGULATIONS**

**GENERAL**

**Starting Service – cont'd**

3. Rate Selection

a. General

Customers are placed on Standard rate offerings based upon their type of service (residential, nonresidential) and the amount of product they consume during the month. Where available, customers may choose optional rate offerings in place of the Standard offering if they meet the qualifications set out in the Availability clause of the optional rate offering. The Customer is ultimately responsible for rate selection and for monitoring the account to ensure that the rate selection remains the best choice and use of utility services. Electric and gas residential rates are not available to master metered or nonresidential accounts.

b. Commercial and Industrial Rate Schedules Subject to Dynamic Rate Switching

Customers are placed on the appropriate Standard rate schedule based upon highest daily usage or highest maximum demand during any of the last 12 billing periods. Because the applicability to Customers of rate schedules varies based on usage and/or demand, Utilities billing system tracks the Customer's usage and/or demand and then each billing period places the Customer on the most appropriate rate schedule under Utilities Dynamic Rate Switching. Dynamic Rate Switching is only applicable to service taken under Standard rate schedules. Should a Customer be switched to a different rate schedule through Dynamic Rate Switching, the Customer may request a one-time review and potential adjustment back to the previous rate schedule if the Customer can demonstrate to Utilities' satisfaction that a unique circumstance or infrequent event caused the change in usage. Utilities will analyze historical consumption patterns and information provided by the Customer to determine the appropriate rate schedule.

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**UTILITIES RULES AND REGULATIONS**

**GENERAL**

**Receiving Service – cont'd**

meter failure and, at Utilities' sole discretion, implement reasonable adjustments to the relevant monthly utility bill(s) impacted by the meter failure. The adjustments may include modifying or waiving the Rebilling provision of Section III of these Utilities Rules and Regulations and/or including a 30% reduction to the consumption based charges under the relevant commodity tariff rate schedule for billing periods not to exceed 12 months, in order to phase in the impact of accurate meter reads.

**I. Economic Development Special Contracts**

1. Utilities may execute special contracts with selected Nonresidential, Commercial, Industrial or Contract Service Customers or may offer to execute special contracts with potential such Customers to support economic development and/or infill/redevelopment. If executed, the special contract shall contain specific provisions relating to the various rates, terms and conditions under which Utilities will provide service(s) to those Customers, including, but not limited to: 1) fee deferrals for Utilities charges and fees, 2) cost participation for relocations, extensions, and capacity improvements, 3) special rates, including rates higher or lower than rates provided in Utilities' Tariffs, for utility products and services, 4) revenue guarantees, 5) financial assurances, and/or 6) terms, conditions, and/or charges in addition to those provided in these Rules and Regulations, Utilities' Tariffs, and *Line Extension and Service Standards* for each service. These specific provisions may differ from the applicable Tariff provisions. The special contract may concern one or more services. Except for the specific rates, terms and conditions contained within the special contract, services(s) shall be provided under the rates, terms and conditions set forth in the Tariffs.
2. A special contract may only be executed by Utilities if all the following conditions are met:
  - a. The Customer (or potential Customer) has been identified as a Customer that offers significant risk or opportunity to Utilities in terms of potential loss or gain to the system(s), because: 1) the Customer may decline or may discontinue (or partially may discontinue) taking service(s) from Utilities, or 2) the Customer may provide its own services(s), or 3) the Customer may seek other alternatives to the service(s) provided by Utilities, or 4) the Customer may increase use of the system to the benefit of Utilities and the remaining Utilities' Customers.
  - b. The approval and subsequent execution of the special contract will not adversely affect the remaining Utilities' Customers.

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**UTILITIES RULES AND REGULATIONS**

**ELECTRIC**

**Electric – cont'd**

4. Service Limitations

a. Instantaneous Demand

In order to protect Utilities' service and infrastructure, any Customer's equipment such as motors, welding equipment, X-ray equipment, furnaces, heat pumps, etc., will have such characteristics, or be equipped with control equipment of such design, that the instantaneous current requirements during starting or cyclic operation are limited so that voltage flicker will conform to Utilities' *Line Extension and Service Standards* for Electric. As a general rule, instantaneous starting current for motors of 10 horsepower or more is limited to approximately 300% of normal full load current.

For residential electric service, the use of any single-phase motor will be limited to 125 amps starting current at 240 volts. Any motor with greater starting current requires review and approval of Utilities prior to installation to assure that voltage flicker will conform to allowable *Line Extension and Service Standards* for Electric.

B. Electric Line Extensions and Services

Utilities, where economically sound and feasible, will extend distribution lines to place of delivery of service to a Customer in its certificated service area in accordance with the terms in this section. This will also apply to load expansions of existing Customers where additional facilities are required to serve them.

Extensions and connections to Utilities' facilities will be made in accordance with the Tariff and City Code.

1. Permanent Extension for Continuous Service

a. Extensions

A property Owner or developer is responsible for payment of all fees applicable to the extension of electric system infrastructure necessary to serve the Premise or development. Fees based on time and materials cost require advance payment of the entire estimated cost of design and construction, inclusive of excavation, boring, conduit, wire, vaults, concrete encasement, fill and compaction, switches, labor, restoration, permits, and easements. Fee payments are payable in advance of platting and development.



**UTILITIES RULES AND REGULATIONS**

**ELECTRIC**

**Electric – cont'd**

See Section I.B Fee Table. Upon payment of all applicable fees, extensions will be constructed within 180 days after approval when construction and existence of such extension is economically sound and feasible.

b. Electric Recovery Agreement Charge:

i. Three-phase Mainline Extensions:

The extension of three-phase mainline electric system infrastructure may provide for the service of adjacent unserved or undeveloped lands, or lands beyond the Premise or development. In such circumstances, Utilities may establish a Recovery Agreement with property Owner or developer to collect a pro rata share of the eligible 600 amp extension fees paid pursuant to Section VI.B.1.a. and interest, as provided in section VI.B.1.b.iii., Unit Recovery Charge Calculation, of these Rules and Regulations, from the property Owner or developer of such unserved or undeveloped lands at the time of connection to the facilities and refund such cost as provided in the Recovery Agreement.

If Utilities determines that extension of electric system infrastructure is in the best interest of Utilities to provide electric service to existing Customers, to allow for the continued development within the service area, and/or to provide benefit to the entire service area, Utilities may, at its sole discretion, extend the electric system infrastructure located outside the boundaries of the unserved or undeveloped land prior to payment of fees pursuant to Section VI.B.1.a. Utilities will recover the cost to design and construct such facilities, with interest, through a Recovery Agreement Charge from the property Owner or developer of unserved or undeveloped lands prior to connection to such facilities. Utilities may implement an Advance Recovery Agreement Charge to collect the cost of the facilities in advance of its construction. Advance Recovery Agreements are limited to Utilities' designated projects to the extent Utilities determines, at its sole discretion.

**UTILITIES RULES AND REGULATIONS**

**ELECTRIC**

**Electric – cont'd**

ii. Recovery Agreement Charge:

A Recovery Agreement Charge may be assessed for each connection to an electric three-phase mainline or other facility, where such line or facility is planned or constructed by Utilities or is the subject of a Recovery Agreement between Utilities and the property Owner(s) or developer who paid fees related to such line or facility. Consistent with such agreements, the charge will be in an amount which represents a pro rata share of the fees paid. Property Owner(s) or developer-initiated Recovery Agreements will be collected prior to issuance of a building permit. Utilities-initiated Recovery Agreements will be collected prior to issuance of building permit, or at the time of final plat, or as provided for in the Recovery Agreement. No credits or refunds will be made for these charges. Except as otherwise provided within these Rules and Regulations, the property Owner(s) or developer is responsible for payment of fees for all facilities and related appurtenances in and through the Premises or development upon approval of the plans and specifications by Utilities as provided in the City Code.

iii. Unit Recovery Charge Calculation:

If the property Owner(s) or developer desires to enter into a Recovery Agreement with Utilities, they must submit a Notice of Intent in writing within 365 days after the date of payment of applicable fees. The agreement holder and Utilities will jointly determine the service area of the facilities constructed and determine a Unit Recovery Charge (URC) for the service area. In the event that the agreement holder and Utilities fail to agree, the determination of Utilities is final. For facilities constructed by Utilities prior to payment of fees pursuant to Section VI.B.1.a., Utilities will solely determine the service area of the facilities constructed. The amount of the URC per lot, per acre, or per single family equivalent is computed by the following:

$$URC = \frac{a * (1 + (b + .03) * 5)}{c}$$

where a = fees paid pursuant to VI.B.1.a. of these Rules and Regulations.

**UTILITIES RULES AND REGULATIONS**

**ELECTRIC**

**Electric – cont'd**

where  $b$  = Federal Reserve Daily Bank Prime Loan interest rate prevailing at the time the computation of the URC is made, expressed as a decimal.

where  $c$  = the number of equal or nearly equal units upon which the URC is based.

The method for establishing a URC for Advance Recovery Agreements will be determined by Utilities, at its sole discretion.

- iv. **Recovery Agreement Reimbursement:**  
Utilities or agreement holder's rights to reimbursement under the provisions of the Recovery Agreement will not exceed the fees paid pursuant to VI.B.1.a. plus the interest factor for a period of 20 years from execution of the agreement, unless Utilities approves a contract period exceeding that time. Utilities or agreement holder's right to reimbursement expires two years after expiration of the Recovery Agreement. No requests for reimbursement by the agreement holder made more than two years after the expiration date will be considered by Utilities.

To receive reimbursements under a Recovery Agreement, the agreement holder will advise Utilities in writing of any changes of address and any assignments of such Recovery Agreement. No later than 90 days following the expiration of the Recovery Agreement, Utilities will notify the agreement holder entitled to reimbursement of all amounts eligible for reimbursement and the date after which reimbursements will not be made. The notice will be made to the agreement holders last known address as reflected in Utilities' records.



**UTILITIES RULES AND REGULATIONS**

**NATURAL GAS**

**Natural Gas – cont'd**

Utilities will shut off the line serving the defective connector and issue a red tag notice.

**G. Extension of Natural Gas Mains and Services**

Utilities, where economically sound and feasible, will extend mains and Service Stubs to new sales Customers and transportation Shippers in its certificated service area in accordance with the terms in this section. This will also apply to load expansions of existing sales Customers and transportation Shippers where additional facilities are required to serve them.

Extensions and connections to Utilities' facilities will be made in accordance with the Tariff and City Code.

Supply and transportation services will be provided in accordance with the terms of the "Priorities and Conditions of Applications" as stated in Utilities Rules and Regulations.

**1. Mainline Facilities**

**a. Extensions**

A property Owner or developer is responsible for payment of all fees applicable to the extension of natural gas system infrastructure necessary to serve the Premise or development. Fees based on time and materials cost require advance payment of the entire estimated cost of design and construction, inclusive of excavation, boring, pipe, welding, x-ray inspection, fittings, sand bed padding, fill and compaction, labor, restoration, permits, and easements. Fee payments are payable in advance of platting and development. See Section I.B Fee Table. Upon payment of all applicable fees, extensions will be constructed within 180 days after approval when construction and existence of such extension is economically sound and feasible.

**b. Natural Gas Recovery Agreement Charge:**

**i. Mainline Extensions:**

The extension of the mainline natural gas system infrastructure may provide for the service of adjacent unserved or undeveloped lands,



**UTILITIES RULES AND REGULATIONS**

**NATURAL GAS**

**Natural Gas – cont'd**

or lands beyond the Premise or development. In such circumstances, Utilities may establish a Recovery Agreement with property Owner or developer to collect a pro rata share of the eligible fees paid pursuant to Section VII.G.1.a. and interest, as provided in section VII.G.1.b.iii., Unit Recovery Charge Calculation, of these Rules and Regulations, from the property Owner or developer of such unserved or undeveloped lands at the time of connection to the facilities and refund such cost as provided in the Recovery Agreement.

If Utilities determines that extension of natural gas system infrastructure is in the best interest of Utilities to provide natural gas service to existing Customers, to allow for the continued development within the service area, and/or to provide benefit to the entire service area, Utilities may, at its sole discretion, extend the natural gas system infrastructure located outside the boundaries of the unserved or undeveloped land prior to payment of fees pursuant to Section VII.G.1.a. Utilities will recover the cost to design and construct such facilities, with interest, through a Recovery Agreement Charge from the property Owner or developer of unserved or undeveloped lands prior to connection to such facilities. Utilities may implement an Advance Recovery Agreement Charge to collect the cost of the facilities in advance of its construction. Advance Recovery Agreements are limited to Utilities' designated projects to the extent Utilities determines, at its sole discretion.

- ii. **Recovery Agreement Charge:**  
A Recovery Agreement Charge may be assessed for each connection to a natural gas mainline or other facility, where such line or facility is planned or constructed by Utilities or is the subject of a Recovery Agreement between Utilities and the property Owner(s) or developer who paid fees related to such line or facility. Consistent with such agreements, the charge will be in an amount which represents a pro rata share of the fees paid. Property Owner(s) or developer-initiated Recovery Agreements will be collected prior to issuance of a building permit. Utilities-initiated Recovery Agreements will be collected prior to issuance





**UTILITIES RULES AND REGULATIONS**

**NATURAL GAS**

**Natural Gas – cont'd**

of building permit, or at the time of final plat, or as provided for in the Recovery Agreement. No credits or refunds will be made for these charges. Except as otherwise provided within these Rules and Regulations, the property Owner(s) or developer is responsible for payment of fees for all facilities and related appurtenances in and through the Premises or development upon approval of the plans and specifications by Utilities as provided in the City Code.

- iii. Unit Recovery Charge Calculation:  
If the property Owner(s) or developer desires to enter into a Recovery Agreement with Utilities, they must submit a Notice of Intent in writing within 365 days after the date of payment of applicable fees. The agreement holder and Utilities will jointly determine the service area of the facilities constructed and determine a Unit Recovery Charge (URC) for the service area. In the event that the agreement holder and Utilities fail to agree, the determination of Utilities is final. For facilities constructed by Utilities prior to payment of fees pursuant to Section VII.G.1.a., Utilities will solely determine the service area of the facilities constructed. The amount of the URC per lot, per acre, or per single family equivalent is computed by the following:

$$URC = \frac{a * (1 + (b + .03) * 5)}{c}$$

where a = fees paid pursuant to VII.G.1.a. of these Rules and Regulations.

where b = Federal Reserve Daily Bank Prime Loan interest rate prevailing at the time the computation of the URC is made, expressed as a decimal.

where c = the number of equal or nearly equal units upon which the URC is based.

The method for establishing a URC for Advance Recovery Agreements will be determined by Utilities, at its sole discretion.

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**NATURAL GAS**

**Natural Gas – cont'd**

- iv. **Recovery Agreement Reimbursement:**  
Utilities or agreement holder's rights to reimbursement under the provisions of the Recovery Agreement will not exceed the fees paid pursuant to Section VII.G.1.a. plus the interest factor for a period of 20 years from execution of the agreement, unless Utilities approves a contract period exceeding that time. Utilities or agreement holder's right to reimbursement expires two years after expiration of the Recovery Agreement. No requests for reimbursement by the agreement holder made more than two years after the expiration date will be considered by Utilities.

To receive reimbursements under a Recovery Agreement, the agreement holder will advise Utilities in writing of any changes of address and any assignments of such Recovery Agreement. No later than 90 days following the expiration of the Recovery Agreement, Utilities will notify the agreement holder entitled to reimbursement of all amounts eligible for reimbursement and the date after which reimbursements will not be made. The notice will be made to the agreement holders last known address as reflected in Utilities' records.



**UTILITIES RULES AND REGULATIONS**

**NATURAL GAS**

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City Council Volume No. 6  
First Revised Sheet No. 77  
Cancels Original Sheet No. 77

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**NATURAL GAS**

**Natural Gas – cont'd**

c. Oversized Facilities

Utilities may oversize any facility as part of an extension to provide capacity for additional developments that may be served by the Mainline Facilities.

d. Exception for New Buildings Ready for Service

Utilities, at its option, may reduce the advance payment required for an extension contract by the appropriate refund amount for new buildings and appliances ready for service. The structure must be under construction at the time advance payment amounts are determined. If actual revenues are less than the estimated revenues used to calculate an advance credit, and there is a material effect on the advance payment amount, Utilities may adjust the advance payment amount to be based on actual revenues rather than the estimated revenues.

e. Applicant Requested Extras

Utilities will require Applicants to pay all costs for Applicant requested extras including the following without limitation:

- i. frost excavation in excess of 18 inches in depth, including backfilling and compaction of trenches;
- ii. removal and replacement of paving, except for main tie-ins required to provide gas to the requested parcels;
- iii. any overtime performed by Utilities or its contractor; and/or
- iv. Customer service lines and Customer fuel lines installed by Utilities.

These costs will become a contribution-in-aid of construction and will not be eligible for refund.

**UTILITIES RULES AND REGULATIONS**

**NATURAL GAS**

**Natural Gas – cont'd**

f. Natural Gas Service Lines

All service lines must be installed in accordance with Utilities' *Line Extension and Service Standards* for Natural Gas.

i. Polyethylene natural gas service lines two inches in diameter or smaller.

a. General Conditions

The Owner, developer or Customer will install, or cause to be installed, at no cost to Utilities, all materials necessary for the connection of natural gas service from the location of the primary point of use structure to Utilities system at the property line of the Premise. Such natural gas service installations include all trenching, backfilling and restoration as well as materials necessary for the installation.

The natural gas service installation shall become the property of Utilities on and after the date of its inspection and connection to the Utilities system.

The Owner, developer and Customer warrants to Utilities all materials and labor related to the natural gas service installation from its point of connection to the Utilities system to the Premise for a period of three years from the date of its inspection and connection to the Utilities system.

In the event of a defect in the natural gas service installation during the three-year warranty period, then the Owner, developer and Customer immediately shall repair or replace the natural gas service installation at no cost to Utilities. The Owner, developer and Customer acknowledge that this warranty continues to be the obligation of the Owner, developer and Customer even though that Owner, developer

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**UTILITIES RULES AND REGULATIONS**

**NATURAL GAS**

**Natural Gas – cont'd**

or Customer ceases to be the Owner of the Premise, the developer of the Premise or the Customer of record at the Premise.

The Owner, developer and Customer agree to indemnify and hold Utilities harmless from any damages, loss, cost, or liability (including, but not limited to, any death, injury, legal fees and the cost of enforcing this indemnity) arising out of, or resulting from the use of, the natural gas service installation during the three-year period of the warranty.

b. Inspection

The Owner, developer and Customer shall schedule an appointment with Utilities, in accord with Utilities' policies, to inspect and connect the natural gas service to the Utilities system.

c. Inspection and Connection Fees

Utilities shall inspect and connect the natural gas service to the Utilities system. The natural gas service shall be installed as a single service or shall be installed jointly with Residential electric service. See Section I.B. Fee Table.

The Joint Service Inspection and Connection Fee is also listed under the Electric section of these Utilities Rules and Regulations. However, that fee is only paid once for a joint natural gas service and Residential electric service inspection and connection.



**UTILITIES RULES AND REGULATIONS**

**NATURAL GAS**

**Natural Gas – cont'd**

d. Return Trip Inspection and Connection Fees

In some instances, the service inspection and connection appointment may be cancelled outside the time frame set out in Utilities' policies or the service installation may not comply with Utilities' *Line Extension and Service Standards* when it is inspected. See Section I.B. Fee Table.

e. Cancellation Fees

In certain instances, under Utilities' policies, a reduced fee may be charged for cancellation of inspection and connection appointments. See Section I.B. Fee Table.

- ii. Polyethylene natural gas service lines larger than two inches in diameter and all steel natural gas service lines must be installed by Utilities under a time and materials contract. See Section I.B. Fee Table.





**UTILITIES RULES AND REGULATIONS**

**WATER**

**Water – cont'd**

B. Water Extension Policy

A property Owner or developer is responsible for the cost of engineering, construction, and materials for all water system infrastructure and related appurtenances necessary to serve the Premises or development. Utilities will approve the plans and specifications of such facilities and appurtenances and inspect and approve the actual construction prior to connection of such facilities. The property Owner or developer is also responsible for any required pumping facilities (including pressure relief valves, pressure-reducing valves and flow-control valves) and vaults, and all fire hydrants that are necessary to serve the Premises or development.

1. Pipelines

Utilities may require that a property Owner or developer construct water distribution facilities through or adjacent to unserved or undeveloped lands. In such circumstance, the property Owner or developer may be required to pay the entire cost of such facilities. However, Utilities may agree in a Recovery Agreement with such property Owner or developer to collect a pro rata share of the eligible cost of such facilities plus applicable interest as provided within Section VIII.C., Water Recovery Agreement Charge, of these Rules and Regulations from the property Owner or developer of such unserved or undeveloped lands at the time of connection to the facilities and refund such cost as provided in the Recovery Agreement.

Utilities may require that a property Owner or developer construct a Water Distribution Main of a larger diameter than that required for the property Owner's or developer's needs to provide for the service of lands beyond the Premises or development. In the event Utilities determines that construction of such an oversized Water Distribution Main is necessary for the efficient expansion of the system, the property Owner or developer served may be responsible for the costs of engineering, materials and installation of such main. In that circumstance, the property Owner or developer may recover the cost of capacity associated with the oversizing requirement.



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**WATER**

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### WATER

#### Water – cont'd

or developer-initiated Recovery Agreements will be collected prior to issuance of a building permit. Utilities-initiated Recovery Agreements will be collected prior to issuance of building permit, or at the time of final plat, or as provided for in the Recovery Agreement. No credits or refunds will be made for these charges.

Except as otherwise provided within these Rules and Regulations, the property Owner(s) or developer is responsible for the costs and construction of all facilities and related appurtenances in and through the Premises or development upon approval of the plans and specifications by Utilities as provided in the City Code. Utilities will inspect and approve the actual construction prior to connection of structures.

#### 2. Recovery for Oversizing

Utilities may require the property Owner(s) or developer to construct a line or other facility larger than that required for their needs for the service of lands adjacent to the Premises or development. A property Owner(s) or developer may also find it necessary to construct facilities through or adjacent to unserved or undeveloped lands. In either case, the property Owner(s) or developer will pay the entire cost of such facilities. Utilities may enter into a Recovery Agreement with the property Owner(s) or developer to collect a pro rata share of the costs of such construction from the Owner(s) of the adjacent lands at the time of their connection. Utilities will pay such collected Recovery Agreement charges to the Recovery Agreement contract holder.

#### 3. Unit Recovery Charge Calculation

If the property Owner(s) or developer desires to enter into a Recovery Agreement with Utilities, they must submit a Notice of Intent in writing prior to the start of construction, pay the specified fee, and provide a complete detailed summary of all construction costs and support documentation as determined by Utilities within 365 days after the date of final acceptance notice by Utilities. The agreement holder and Utilities will jointly determine the service area of the facilities constructed and determine a Unit Recovery Charge (URC) for the service area. In the event that the agreement holder and Utilities fail to agree, the determination of Utilities is final. For facilities constructed by Utilities, Utilities will solely determine the service area of the facilities constructed. The Standard Method of computing the URC, as provided below, will apply unless the property Owner(s) or developer request computation under the Nonstandard Method. Request for computation under the Nonstandard Method must be received upon submittal of Recovery Agreement



**UTILITIES RULES AND REGULATIONS**

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**WATER**

**Water – cont’d**

request. To request computation under the Nonstandard Method, facilities must have a 24-inch minimum diameter, exceed \$1,500,000 in cost, and meet program rules as established by Utilities. Utilities, at its sole discretion, will make a determination on the request for computation under the Nonstandard Method. For facilities constructed by Utilities, Utilities will determine, at its sole discretion, the applicable URC computation method. The amount of the URC per lot, per acre or per single family equivalent is computed by the following:

a. Standard Method

$$\text{URC} = \frac{a * (1 + (b + .03) * 5)}{c}$$

or

b. Nonstandard Method

$$\text{URC} = \left(\frac{a}{c}\right) * (1 + d + .01)^n$$

where a = total construction cost less the cost of service lines.

where b = Federal Reserve Daily Bank Prime Loan interest rate prevailing at the time the computation of the URC is made, expressed as a decimal. The total interest factor of b minus one percent shall not be less than three percent.

where c = the number of equal or nearly equal units upon which the URC is based.

where d = the 20-year yield of the BVAL AAA Municipal Curve at the time the computation of the URC is made, expressed as a decimal.

where n = the number of years since the execution of the Recovery Agreement.

The method for establishing a URC for Advance Recovery Agreements will be determined by Utilities, at its sole discretion.



<b>UTILITIES RULES AND REGULATIONS</b>
<b>WATER</b>

**Water – cont’d**

4. Recovery Agreement Reimbursement

Utilities or agreement holder’s rights to reimbursement under the provisions of the Recovery Agreement will not exceed the construction costs plus the interest factor for a period of 20 years from execution of the agreement, unless Utilities approves a contract period exceeding that time. Utilities or agreement holder’s right to requests for reimbursement by the agreement holder made more than two years after the expiration date will be considered by Utilities.

To receive reimbursements under a Recovery Agreement, the agreement holder will advise Utilities in writing of any changes of address and any assignments of such Recovery Agreement. No later than 90 days following the expiration of the Recovery Agreement, Utilities will notify the agreement holder entitled to reimbursement of all amounts eligible for reimbursement and the date after which reimbursements will not be made. The notice will be made to the agreement holders last known address as reflected in Utilities’ records.



**UTILITIES RULES AND REGULATIONS**

**WASTEWATER**

**Wastewater – cont'd**

3. Pump Station and Force Main Recovery

If required, the cost of constructing pump stations and/or force mains is the responsibility of the Owner of the Premise served by these facilities. Where it appears that more area or land may be served by the pump station/force mains, Utilities may require a larger capacity than necessary to serve the initial development. Where such larger capacity is required, Utilities may enter into a Recovery Agreement similar in fashion to that of collection lines.

4. Establishing a Recovery Agreement

If a property Owner or developer desires to enter into a Recovery Agreement with Utilities, they must submit a written Notice of Intent prior to the start of construction, pay the specified fee and provide a written complete detailed summary of all construction costs to Utilities within 365 days after the date of final acceptance notice by Utilities.

5. Unit Recovery Charge Calculation

The agreement holder and Utilities will jointly determine the service area of the facilities constructed and determine a Unit Recovery Charge (URC) for the service area. In the event that the agreement holder and Utilities fail to agree, the determination of Utilities is final, subject to review by the City Council. The Standard Method of computing the URC, as provided below, will apply unless the property Owner(s) or developer request computation under the Nonstandard Method. Request for computation under the Nonstandard Method must be received upon submittal of Recovery Agreement request. To request computation under the Nonstandard Method, facilities must have an 18-inch minimum diameter, exceed \$1,500,000 in cost, and meet program rules as established by Utilities. Utilities, at its sole discretion, will make a determination on the request for computation under the Nonstandard Method. For facilities constructed by Utilities, Utilities will determine, at its sole discretion, the applicable URC computation method. The amount of the URC per lot, per acre or per single family equivalent is computed by the following:



**UTILITIES RULES AND REGULATIONS**

**WASTEWATER**

**Wastewater – cont'd**

a. Standard Method

$$\text{URC} = \frac{a * (1 + (b + .03) * 5)}{c}$$

or

b. Nonstandard Method

$$\text{URC} = \left(\frac{a}{c}\right) * (1 + d + .01)^n$$

where a = total construction cost less the cost of service lines.

where b = Federal Reserve Daily Bank Prime Loan interest rate prevailing at the time the computation of the URC is made, expressed as a decimal. The total interest factor of b minus one percent shall not be less than three percent.

where c = the number of equal or nearly equal units upon which the URC is based.

where d = the 20-year yield of the BVAL AAA Municipal Curve at the time the computation of the URC is made, expressed as a decimal.

where n = the number of years since the execution of the Recovery Agreement.

The method for establishing a URC for Advance Recovery Agreements will be determined by Utilities, at its sole discretion.

**Utilities Rules and Regulations  
(URR)**

**Final Tariff Sheets**

**Effective October 1, 2025**



**UTILITIES RULES AND REGULATIONS**

**GENERAL**

**Definitions – cont’d**

**TARIFF:** Utilities’ Tariff as adopted by the City Council of the City of Colorado Springs. The Tariff sets forth the services offered by Utilities, including the rates and fees for the services, and governing rules, regulations and practices relating to those services.

**TEMPORARY SERVICE:** Provisional utility service used only for a limited time generally not to exceed 18 months. (E.g.; nonpermanent electric service at a construction site as provided by a temporary meter.) When construction at the site is complete, the temporary meter is removed and replaced with a permanent meter.

**TOTALIZED SECONDARY SERVICE:** The summation of multiple electric meters served at one Premises whose totalized service exceeds 100 kW per day.

**TRANSPORTATION CUSTOMER:** A person who, by signing a gas Transportation Service Agreement, elects to subscribe to the unbundled service option of gas transportation offered by Utilities.

**TRANSPORTATION SERVICE AGREEMENT:** A contract signed between a Shipper and Utilities outlining the terms and conditions of transporting gas as an unbundled service option.

**UNDERDRAIN SYSTEM:** A pipe system typically installed in public rights of way to collect subsurface ground water from building perimeter drains or area underdrains and transport the ground water to a point of discharge at a drainage channel, storm sewer, or other City approved location.

**UTILITIES:** Colorado Springs Utilities.

**WATER DISTRIBUTION MAIN:** That portion of Utilities’ water supply system or a private water system which transmits and distributes potable water to users for fire supply and domestic service connections or transmits and distributes potable water from Utilities’ water supply system to users, excluding portions of service lines as defined in City Code Section 12.4.201.

**WATER SERVICE LINE:** The line extending from the property, building, establishment or grounds up to and including the connection to the Water Distribution Mains.

Approval Date: November 12, 2024

Effective Date: October 1, 2025

Resolution No.

**UTILITIES RULES AND REGULATIONS**

**GENERAL**

**Starting Service – cont'd**

3. Rate Selection

a. General

Customers are placed on Standard rate offerings based upon their type of service (residential, nonresidential) and the amount of product they consume during the month. Where available, customers may choose optional rate offerings in place of the Standard offering if they meet the qualifications set out in the Availability clause of the optional rate offering. The Customer is ultimately responsible for rate selection and for monitoring the account to ensure that the rate selection remains the best choice and use of utility services. Electric and gas residential rates are not available to master metered or nonresidential accounts.

b. Commercial and Industrial Rate Schedules Subject to Dynamic Rate Switching

Customers are placed on the appropriate Standard rate schedule based upon highest daily usage or highest maximum demand during any of the last 12 billing periods. Because the applicability to Customers of rate schedules varies based on usage and/or demand, Utilities billing system tracks the Customer's usage and/or demand and then each billing period places the Customer on the most appropriate rate schedule under Utilities Dynamic Rate Switching. Dynamic Rate Switching is applicable to electric service taken under Standard and Energy-Wise Plus Time-of-Day Options. Natural gas Dynamic Rate Switching is only applicable to service taken under Standard rate schedules. Should a Customer be switched to a different rate schedule through Dynamic Rate Switching, the Customer may request a one-time review and potential adjustment back to the previous rate schedule if the Customer can demonstrate to Utilities' satisfaction that a unique circumstance or infrequent event caused the change in usage. Utilities will analyze historical consumption patterns and information provided by the Customer to determine the appropriate rate schedule.

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Resolution No.

## UTILITIES RULES AND REGULATIONS

### ELECTRIC

#### Electric – cont'd

No permanent service connections will be made to extensions for Temporary Service. If a Customer desires a permanent extension, all provisions for Permanent Extension for Continuous Service will apply. See Section I.B. Fee Table.

Utilities may require a deposit from a Customer for electric Temporary Service as a guarantee of payment. No deposit required and made will relieve any Customer from payment of current charges as they become due and payable, nor will any deposit be applied by Utilities to any indebtedness of the Customer except after termination of service. Deposits will be refunded according to Utilities' Rules and Regulations – General.

The Customer will pay the following damage fees when the power pedestal is returned based on the circumstances indicated.

#### Pedestal Damage Fees

The cost of necessary repairs if the pedestal is damaged.

The replacement cost if the pedestal must be replaced. See Section I.B. Fee Table.

If the Customer fails to make payment, Utilities will not provide additional electric Temporary Service to that Customer and may take any necessary action for restitution provided in the City Code.

#### C. Demand Metering – Electric

Demand metering is subject to the terms and conditions under Utilities' Electric Rate Schedules and these Utilities Rules and Regulations. Unless otherwise determined by Utilities, measured demand applicable to Commercial Rate Schedules is determined as the highest kW demand during any 15-minute interval during the billing period. Based upon a Customer(s)' meter configuration, Utilities, at its sole discretion, may determine measured demand applicable to Commercial Rate Schedules as the highest average of three five-minute kW demands occurring in any 15 minutes during the billing period. Measured demand applicable to Industrial and Contract Service Rate Schedules is determined as the highest average of three five-minute kW demands occurring in any 15 minutes during the billing period.

#### D. Electric Power Factor Correction

1. Lagging: Power factor correction of any service with low power factor characteristics will, at all times, be provided with effective power factor corrective

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Resolution No.

**UTILITIES RULES AND REGULATIONS**

**ELECTRIC**

**Electric – cont'd**

equipment so that the power factor will not be less than 95% lagging or leading. Such corrective equipment will be directly connected in the load circuit and switched with the load. Utilities will assess a monetary adjustment to any low power factor load in accordance with the respective rate schedule until these requirements have been met.

2. Leading: If Utilities determines that a Customer having a leading power factor is creating a problem for either Utilities or another Customer on the system, the Customer creating the problem will be required to correct the leading power factor.

**E. Enhanced Power Service Option**

Enhanced Power Service is available by contract for Customers who receive service under an Industrial Service Electric Rate Schedule and require a higher level of electric availability than standard service. Due to annual budget constraints, Utilities will have the right to limit the number of Enhanced Power Service Customers and/or the amount of enhanced power equipment supplied.

Utilities will specify, purchase, maintain, and own the enhanced power equipment, backup feeder lines, and facilities on the Utilities side of the Point of Common Coupling (PCC). The Customer will provide a suitable location for Utilities' equipment on their site. The Customer will provide for the installation and maintenance of the equipment on the Customer's side of the PCC. Such equipment will not interfere with the operation of the Utilities' system. The Customer will pay a reserved capacity charge and an operations and maintenance charge, as specified in the contract and set forth in the Electric Rate Schedules.

Customers subscribing to and under current contract for Enhanced Power Service will receive billing based upon the totalizing of the main meter and the alternate source meter(s). Totalizing of primary and secondary services will include a transformer and equipment loss factor.

The Commercial contributions-in-aid of construction policy as set forth in the *Line Extensions and Service Standards* for Electric applies only to the extension of the first feeder as determined by Utilities.

**F. Network Service – Electric**

Connection of additional Customers for electric network service is subject to availability of capacity.

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Resolution No.



**UTILITIES RULES AND REGULATIONS**

**ELECTRIC**

**Electric – cont’d**

G. Attachments to Facilities

Attachments to poles, lighting standards or other equipment or facilities will not be permitted except upon specific written approval of Utilities.

H. Utilities’ Liability – Electric

Utilities is not liable for any service failures or interruptions that include, but not limited to, phase reversals and/or single-phasing of three-phase services, voltage transients, or frequency and wave shape deviations. This section is in addition to, and does not limit Utilities Rules and Regulations - General.

I. Renewable Energy System Interconnection Application Review Fee

All interconnections of new renewable energy systems must meet the standards set forth in Utilities’ Electric Rate Schedules and *Line Extension and Service Standards*. Utilities will assess a fee to review applications to interconnect renewable energy systems. See Section I.B. Fee Table.



BEFORE THE CITY COUNCIL OF  
THE CITY OF COLORADO SPRINGS

IN THE MATTER OF THE REVISION        )  
OF THE UTILITIES RULES AND            )        DECISION & ORDER 24-05 (URR)  
REGULATIONS 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 Utilities Rules and Regulations (“URR”). During that review, Utilities identified needed changes. Utilities’ rate case filing contains all of these revisions and changes.
2. Utilities submitted a 2025 Rate Case as part of a five-year financial plan, funding reliability, regulatory, and growth-related investments in Utilities’ systems. Utilities’ 2025 Rate Case filing includes proposed Cost of Service (“COS”) driven rate changes for Electric, Natural Gas, Water, and Wastewater services. Utilities’ filing proposes annual changes to Electric, Natural Gas, Water, and Wastewater rates, effective January 1<sup>st</sup> for each of the years 2025 through 2029.
3. To provide opportunities for customers to manage their bill while helping Utilities maintain a safe, reliable Electric system, Utilities’ filing proposes Energy-Wise Time-of-Day rate changes, effective October 1, 2025.
4. Utilities’ filing proposes certain other changes to Electric, Natural Gas, Water, and Wastewater Rate Schedules, and changes to the URR, effective January 1, 2025.
5. Utilities’ URR is a part of the collective Tariffs that govern Utilities in accordance with the Colorado Springs City Code. The URR establishes terms and conditions for all Utilities Customers across all utility services and also provides service specific terms and conditions. Utilities proposes the following URR changes in its filing:
  - a) **Electric and Natural Gas Line Extension Fees** – These proposed changes include: (1) Modifications to update electric single phase 100 amp and a 3-phase 200 amp fees to the full cost per foot, (2) Replacement of 3-phase 600 amp revenue guarantee contracts with fees based on time and materials cost with the option to request recovery agreement contracts, (3) Replacement of 30% of estimated project cost fee for feasible natural gas main and service stubs with full cost per foot fees, (4) Replacement of 100% advance of estimated cost and refund contract for non-feasible natural gas main and service stubs with full cost per foot fees, (5) Replacement of 100% advance and refund contract for natural gas mainline extensions with full cost per foot fees with the option to request recovery agreement

contracts, (6) Addition of time and materials cost for 150 psig mainline extensions with the option to request recovery agreement contracts, and (7) Addition of congested space fees based on the full cost per foot.

- b) **Electric, Natural Gas, Water and Wastewater Fee Updates** – These proposed changes include the: (1) Update of development application review, Electric and Natural Gas extension design, Water and Wastewater recovery agreement, hydraulic analysis, and fire flow report fees to current cost, (2) Update of Water and Wastewater permit and inspection fees to current cost, (3) Update of Water tap fees to current cost, and (4) Addition of Wastewater analysis report, construction drawing review, and annexation application review fee.
  - c) **Large Load Interconnection Study Fee** – This proposed change is the addition of large load interconnection study fees for customers requesting interconnection of loads exceeding (Electric – 20 MW), (Natural gas 10 Dth per hour), (Water – 1 MGD per day), and (Wastewater – 1 MGD per day).
  - d) **Water and Wastewater Recovery Agreement Unit Recovery Charge (URC)** – These proposed changes include the: (1) Addition of alternate URC computation method incorporating compound interest factor and (2) Alternate URC method may be requested when facilities equal or exceed 24 inches in Water and 18 inches in diameter for Wastewater, and have a construction cost greater than \$1.5 million.
  - e) **Other Administrative Changes** – These proposed changes include the modification of mistitled sheets by adding “Water” to the title block of the page where missing, and correcting titles to reflect Utilities Rules and Regulations where currently incorrect.
6. In addition to the proposed URR revisions, Utilities’ 2025 Rate Case filing also proposes changes to the Electric, Natural Gas, Water, and Wastewater Rate Schedules.
7. The proposed effective dates for Utilities’ tariff changes are: January 1, 2025, October 1, 2025, January 1, 2026, January 1, 2027, January 1, 2028, and January 1, 2029.
8. Utilities filed its tariff changes with the City Auditor, Mrs. Jacqueline Rowland on August 10, 2024, and with the City Attorney on August, 10, 2024. Utilities then filed the enterprise’s formal proposals on September 10, 2024, 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](http://www.csu.org) on September 10, 2024, and in *The Gazette* on September 15, 2024. 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 contained within the record. 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.

9. The information provided to City Council and held open for public inspection at the City Clerk's Office was supplemented by Utilities on October 15, 2024. The supplemental materials contained:
  - a) Updates to electric and natural gas rate schedules and sample bill calculations based on the Electric Cost Adjustment ("ECA") and Natural Gas Cost Adjustments ("GCA") rates, effective October 1, 2024;
  - b) Additional Electric Report information regarding load study data and data timelines;
  - c) The Office of the City Auditor's audit report;
  - d) The U.S. Department of Defense Notice of Intent to submit public comments;
  - e) The legal notice affidavit of publication; and
  - f) Public outreach information.
10. The City Auditor issued her findings on the proposed tariff changes prior to the rate hearing, dated October 2024, which found that the COS studies supporting the proposed base rate changes, effective January 1, 2025 for electric, gas, water, and wastewater services were prepared accurately and that the methodology changes were appropriately disclosed and within the tolerances approved by the Utilities Board. The City Auditor's single recommendation for improvement is to incorporate more comprehensive reporting related to capital spending into the I-2 report to the Utilities Board and to consider performing an annual review of actuals to forecast to determine if the proposed changes in the five-year rate plan are needed. Utilities agrees with the recommendation. A copy of that report is contained within the record.
11. On October 22, 2024, the City Council held a public hearing concerning the proposed changes to the Electric, Natural Gas, Water, and Wastewater Rate Schedules and URR. 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.
12. City Council President Randy Helms commenced the rate hearing.
13. The presentations started with Mr. Christopher Bidlack, a Senior Attorney with the City Attorney's Office – Utilities Division. Mr. Bidlack first presented the rate hearing agenda.

14. Mr. Bidlack then briefed City Council on its power to establish rates, charges, and regulations for Utilities' services. In setting rates, charges, and regulations for Utilities' services, 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. Bidlack provided information on the statutory and regulatory requirements on rate changes. Rates for Water and Wastewater service must be reasonable and appropriate in light of all circumstances, City Code §12.1.108(F). Rates for Natural Gas and Electric service must be just, reasonable, sufficient, and not unduly discriminatory, City Code §12.1.108(E).
15. At the conclusion of his presentation, Mr. Bidlack 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.
16. Mr. Scott Shirola, Utilities' Pricing and Rates Manager, provided the enterprise's proposals.
17. Mr. Shirola started by noting Utilities compliance with required procedural steps and summarizing the 2025 Rate Case filing overview. He noted the major categories of Utilities filing: (a) Building the Future – Utilities' five-year plan for Electric, Natural Gas, Water, and Wastewater base rates; (b) Electric Rate Design – Energy-Wise Time-of-Day Rates; and (c) System expansion and development fees.
18. Next, Mr. Shirola provided additional information on Utilities five-year plan, noting proposed annual increases of 6.5% for electric service, 4.0% for natural gas service, 6.5% for water service, and 9.0% for wastewater service. His presentation included a summary of communications with the community and financial markets in relation to the proposed five-year plan.
19. Mr. Shirola then provided context on the use of multi-year rate plans by utility entities across the country and the support they regularly receive as beneficial approaches, particularly the ability to spread rate impacts to customers over a period of years.
20. He explained how the proposed rates would remain competitive with other Front Range Utilities and provided rate comparisons with other Front Range Utilities, including noting several Front Range entities that are in the midst of multi-year rate plans. As of October 1, 2024, Utilities Residential customers pay 9.56% below the cost of average Front Range Utilities for a four-service utility bill and, as of July 2024, 16.6% below the national average for electric bills. He also provided sample bill impacts for residential, commercial, and industrial customers under the proposed five-year plan.

21. Councilmember Nancy Henjum asked Mr. Shirola why he thinks Utilities is so competitive in rates, both nationally and on the Front Range. Mr. Shirola's opinion is that Utilities is highly competitive because it (a) is able to create significant efficiencies as one of very few four service utilities, (b) maintains aggressive fuel cost recovery to avoid long term impacts of fuel market events, and (c) does not have the investment motivation that drives investor owned utilities. Councilmember Henjum then asked whether Utilities would have been better served to implement higher rates over the past 10-15 years. Mr. Shirola noted that while hindsight always shows some potential missed opportunities, Utilities has been effective in planning for changes and proposing rates during that time frame.
22. Mr. Shirola then addressed the proposed changes to Electric service. The 2025 Electric base rate drivers are (a) funding reliability, regulatory, and growth infrastructure investments, such as substations and transmission lines, Sustainable Energy Plan projects, and supporting growth and resiliency; and (b) inflationary increases in labor, benefits, and system maintenance. The total Electric proposed revenue from rates is \$395.6 million, which is \$24.2 million higher than revenue under current rates and represents an overall system increase of 6.5%. The proposed changes to each electric rate class over the five-year plan was provided and is available in Utilities' filing.
23. Then, Mr. Shirola presented Utilities' proposals for Natural Gas service. The 2025 Natural Gas base rate drivers are (a) funding reliability, regulatory, and growth infrastructure investments, including the Distribution Integrity Management Program and supporting growth and resiliency and (b) inflationary increases in labor, benefits, and system maintenance. The total Natural Gas proposed revenue from rates is \$92.0 million, which is \$3.6 million higher than revenue under current rates and represents an overall system increase of 4.0%. The proposed changes to each natural gas rate class over the five-year plan was provided and is available in Utilities' filing.
24. Mr. Shirola then moved on to Utilities' proposed Water service changes. The 2025 Water rate drivers are (a) funding reliability, regulatory, and growth infrastructure investments, including Sustainable Water Plan projects and supporting growth and resiliency and (b) inflationary increases in labor, benefits, and system maintenance. The total Water proposed revenue from rates is \$228.7 million which is \$13.9 million higher than revenue under current rates and represents an overall system increase of 6.5%. The proposed changes to each water rate class over the five-year plan was provided and is available in Utilities' filing.
25. To conclude discussion of the specific services, Mr. Shirola addressed the proposed changes to the Wastewater services. The 2025 Wastewater rate drivers are (a) funding reliability, regulatory, and growth infrastructure investments, including collection and treatment system rehabilitation and upgrades and supporting growth and resiliency and (b) inflationary increases in labor, benefits, and system maintenance. The total Wastewater proposed revenue from rates is \$79.7 million which is \$6.6 million higher than revenue under current rates and represents an overall system of increase 9.0%. The proposed

changes to each wastewater rate class over the five-year plan was provided and is available in Utilities' filing.

26. Mr. Shirola then summarized the impact of the proposed rate changes to a sample, four-service Residential utility bill and showed the average annual impact of increases to the sample bill for the period of 2019-2024.
27. Following the specific presentation of rate changes, Mr. Shirola presented information on Utilities' other proposed tariff changes.
28. The most significant proposed change is Utilities proposal to implement time-of-day based electric rates through the Energy-Wise program. Utilities commenced the Energy-Wise project based on the transforming energy future of regulatory requirements, sustainable energy, community growth, and advancing technologies. The development started in 2018 and included Utilities' Energy Vision, Utilities Board workshops, and the Integrated Resource Planning process. Utilities' staff performed extensive research through peer utility interviews, use of consultants and industry groups, review of published reports and articles and review of other utilities' websites and bills. The center of the research was focused on how best to provide service to Utilities' customers.
29. Councilmember David Leinweber noted his view that the most important information in Utilities' presentation is the clear demonstration of the cost of providing energy during the on-peak period of 5 p.m. to 9 p.m. Understanding that cost is key to understanding the need for the Energy-Wise program.
30. Energy-Wise rates can play a significant role in incentivizing customers to shift electric use to periods when demand is lower and the cost of providing electricity is cheaper. With Energy-Wise rates customers pay different rates for electricity based on the time-of-day it is used which more equitably recovers the costs of providing service to customers. The benefits of the Energy-Wise program include (a) additional customer control, (b) potential for bill savings, (c) a fair and equitable rate structure, (d) support for the transition to sustainable energy, and (e) reduced peak demands and costs.
31. Councilmember Dave Donelson commented that there will be a substantial number of customers who will see their bill decrease without having to make any changes to their energy use practices.
32. Under the Energy-Wise program, rates are lowest on weekdays before 5 p.m. and after 9 p.m., and anytime on weekends and select holidays. These times are called "off-peak." Rates are highest Monday through Friday from 5 p.m. to 9 p.m. These are called "on-peak" times. Rates will be higher in summer when demand is highest (June-September) and lower in winter (October-May). Of note, only 12% of all hours each year are in the on-peak period.

33. The proposed implementation of the Energy-Wise program also (a) aligns the on-peak periods of Utilities' existing time-of-day rates, (b) transitions customers to the Energy-Wise rate as the default residential electric rate, (c) provides an optional Energy-Wise Plus rate option for most Residential, Commercial, and Industrial customers and Fixed Seasonal rate options for most Residential and Small Commercial customers, (d) restructures the commercial classes into three classes, and (e) adds a demand charge to medium and large commercial classes. The proposed changes would be effective October 1, 2025, following City Council approval following which customers will be transitioned onto the rate on a schedule established by Utilities.
34. Councilmember Henjum asked Mr. Shirola to explain the reason for the October 1, 2025, effective date for the Energy-Wise program. Mr. Shirola explained that it is based on both customer and operational needs. From the customer perspective, the next year will be used to communicate the changes, both through general communications and with customer customized communications. Operationally, the implementation of the program requires planning and work on many Utilities systems.
35. Councilmember Henjum then asked if she was correct that many customers will see positive offsets from the proposed changes. Mr. Shirola confirmed her statement and explained that approximately 50% of Residential customers will instantly save money on the transition. Those who will pay more, will pay about \$2.88 per month more than current rate. Additionally, tools will be available for customers to reduce their costs and customers can look at other options to evaluate if those provide them with a preferable energy option.
36. Utilities' proposal included a number of case studies designed to demonstrate that the Energy-Wise program is designed to be revenue neutral for Utilities and that roughly half of all Residential customers will pay less and half will pay more if behaviors remain static when compared to current rates. The evaluation also broke Residential customers into different segments to evaluate how the proposed rate would impact customers with different demographic profiles. There was not a major disparity between the multiple personas and the overall evaluation of all customers. Mr. Shirola also noted that the majority of customers will be able to save money through behavioral changes. Commercial classes had a similar distribution regarding the impact of the Energy-Wise rates.
37. The Energy-Wise portion of the presentation concluded with a summary of customer communication plans, designed to raise awareness, prepare for the change, and create readiness for the change.
38. President Helms then recessed the hearing for a ten minute break.
39. Mr. Shirola then presented the proposed non-rate Natural Gas changes: (a) elimination of Utilities conducted curtailment test event and the addition of expectation for customers to perform test of backup equipment prior to the heating season for the Interruptible Service Rates (Industrial, Industrial Prescheduled, Military); and (b) the addition of Long and Short



Restricted Delivery Day (RDD) event definitions, application of RDD Imbalance Charges for all over-delivered volumes during RDD Long events, and all under-delivered volumes during RDD Short events, and clarification of Central Time basis of nomination schedule for the Industrial Transportation Service Rate.

40. Mr. Shirola also noted clerical changes to reflect the revised names of Peterson Space Force Base and Cheyenne Mountain Space Force Station throughout Utilities' tariffs.
41. Mr. Shirola concluded the presentation on Utilities' proposed changes with the proposed changes to the URR. The proposed changes are:
  - a) Large Load Interconnection Study and Fee with the addition of requirement for Large Load Interconnection Studies for customers' requests for interconnection of loads equal to or greater than Electric – 5 MW, Natural Gas – 2.5 Dth per hour, and Water and Wastewater – .25 MGD, and the addition of Large Load Interconnection Studies Fees for customers request for interconnection of loads equal to or greater than Electric – 20 MW, Natural Gas – 10 Dth per hour, Water and Wastewater – 1 MGD.
  - b) Electric Line Extension Fees with the modification of electric single phase 100 amp and a 3-phase 200 amp fees to full cost per foot, addition of congested space fees, and replacement of 3-phase 600 amp revenue guarantee contracts with time and materials cost and option for recovery agreement.
  - c) Natural Gas Line Extension Fees with the replacement of 30% of estimated project cost fee for feasible natural gas main and service stubs with full cost per foot fee, replacement of 100% advance of estimated cost and refund contract for non-feasible natural gas main and service stubs with full cost per foot fee, replacement of 100% advance and refund contract for natural gas mainline extensions with full cost per foot fee and recovery agreement option, the addition of congested space fees, and the addition of time and materials cost for 150 psig mainline extensions and option for recovery agreement.
  - d) Updating several existing fees to full cost, including development application, Electric and Gas design, Water and Wastewater recovery agreement application and processing, hydraulic analysis, Water and Wastewater permits, connection and inspection, and Water tap fees.
  - e) The addition of new fees for service currently performed without fees, including construction drawing review, Wastewater analysis report, and annexation application review.

f) Water and Wastewater Recovery Agreements with the addition of optional alternate Unit Recovery Charge computation method incorporating compound interest factor which is available by request when minimum requirements are met.

g) Clerical revisions.

42. Next, Mr. Shirola provided a summary of Utilities customer outreach, which included communication through the csu.org website, electronic customer newsletters (First Source (business customers) and CONNECTION (residential customers)), one-on-one meetings with large business customers, community and customer group presentations, Utilities Board and City Council meetings, and social media channels.

43. To conclude, Mr. Shirola listed the customer assistance avenues available to customers struggling to pay their utility bills. Resources include bill assistance through (a) Low-Income Energy Assistance Program (LEAP) Nov – Apr and Project COPE, (b) payment options such as payment plans and pick my payment date, (c) free efficiency home upgrades, and (d) rebates.

44. Mrs. Rowland then provided comments on her review of Utilities' proposals as the City Auditor. Mrs. Rowland explained that her office reviews proposed rates with each annual rate case. This year's case was a particularly large review given the five-year plan. The City Auditor's Office reviewed Utilities' filing and COS for accuracy of the data and proposals and found no concerns with Utilities' data or calculations. Mrs. Rowland noted her appreciation for the strong working relationship between her office and Utilities. Her report had one recommendation for Utilities, additional capital reporting to ensure transparent monitoring. She also noted that her report did not include an audit of the Energy-Wise program, but that it would be monitored in the future.

45. Councilmember Henjum commented that the Utilities Board Finance Committee plans to take Mrs. Rowland's reporting recommendation as an action item and will evaluate methods to improve the reporting process.

46. After Utilities' presentation, President Helms opened the floor for public comment.

47. First to speak was Ms. Johnna Reeder Kleymeyer, President and Chief Executive Officer of the Colorado Springs Chamber and EDC. Ms. Kleymeyer spoke in favor of Utilities' proposed changes. She noted that utility infrastructure is a key component of bringing new business to the community, particularly when sites are fully equipped prior to a company moving to the region.

48. Next, Mr. Barry Baum provided comments. Mr. Baum noted that he was asked to review Utilities' rate filing by Utilities Chief Financial Officer, Tristan Gearhart, based on Mr. Baum's interest as a citizen advocate. Mr. Baum filed comments with the City Clerk and provided a brief summary of his comments. He started by noting his appreciation for the

work Utilities completed in preparing the five-year plan, but explained he does not support the approach. He believes rates should be approved in one-to-two-year increments as there is too much variability to confidently predict five years' worth of need and costs; and he expects customer use to decrease with increased rates. Mr. Baum also disagrees with Utilities contention that it is competitive with other similar cities and that the proposed changes will further increase the disparity of competitiveness. He concluded by requesting Utilities to explore the potential to acquire energy from investor owned utilities, such as Xcel Energy.

49. Prior to the last customer speaker, President Helms explained that he had committed to giving the speaker 15 minutes to present, and while he now believes doing so was an error, he would honor the time.
50. The last customer commentor then spoke. Mr. Kyle Smith, General Attorney U.S. Army Legal Services Agency, spoke on behalf of the military bases served by Utilities, noting the bases substantial contributions to the economy of Colorado Springs and large payments made annually to Utilities. The military has strong carbon free energy goals and commends Utilities work with the military in striving for those goals. However, the military (1) is concerned with the impact to rates of Utilities proposed five-year rate plan, (2) does not believe that it is prudent to implement five years of rate changes without interim review, (3) is concerned that Utilities will struggle to complete all of the planned projects in the timeline given, and (4) recommends approving no more than two years of rate changes at the current time.
51. Following the opportunity for public comment, President Helms opened the floor to questions or comments from City Council.
52. The first several comments from City Council were directed to Mr. Smith, as a representative of the Department of Defense.
53. Councilmember Mike O'Malley responded to Mr. Smith, first by asking for the distinction between an executive order and a law. Mr. Smith noted laws are general applicability, compared to executive orders which are applicable only to federal agencies. Councilmember O'Malley then expressed his frustrations regarding the unfunded renewable energy mandates placed on Utilities by the State of Colorado, as well as, the Department of Defense's push for higher mandates without realistic cost expectations. Councilmember O'Malley concluded by expressing his support for Utilities proposals as the best solution to a difficult situation.
54. President Helms next addressed Mr. Smith, expressing his support for Utilities' five-year plan based on the need to look to the future and have a set plan when dealing with the regulatory requirements placed on Utilities. He also expressed his belief that those in Washington D.C. do not have the best view on what is appropriate for local matters in Colorado Springs.

55. Mr. Smith responded that he represents the local interests of the military installations served by Utilities.
56. Councilmember Donelson next commented on Mr. Smith's remarks, noting his perception of the irony in the Department of Defense's request for carbon free energy that requires Utilities to retire assets and bring on new renewable resources, but to then object to the cost of doing so.
57. Mr. Smith noted that the executive order requirements he discussed are applicable to the military installations and are not mandates to Utilities.
58. Councilmember Henjum asked Utilities to address the comments that Mr. Smith's presentation made regarding the financial pressures Utilities faces.
59. Mr. Gearhart responded for Utilities. He expressed his recognition that the five-year plan is very large and his belief that it is the most responsible approach to funding over the next five-years. The structure is designed to ensure a plan that supports funding for the projects Utilities must engage in. He also noted that rating agencies have expressed support for the approach as the best method for Utilities to maintain its high credit ratings.
60. Councilmember Henjum then asked Mr. Gearhart to respond to the comments provided by Mr. Baum and noted that even with approval of the five-year plan, City Council could direct Utilities to propose rate changes next year.
61. Mr. Gearhart expressed his appreciation for Mr. Baum's time and engagement, but explained why he disagrees with the comments Mr. Baum provided. Mr. Gearhart provided Utilities' previous approach to water rates for the Southern Delivery System as a real-life example of the effectiveness of a multi-year rate plan. In that situation, Utilities was even able to reduce the planned rate increases due to costs coming in under projections. He also noted that Utilities will report on the capital progress to the Utilities Board at regular intervals, with those reports including any potential need for subsequent rate changes.
62. Mr. Travas Deal, Utilities Chief Executive Officer, provided additional comments for Utilities. Mr. Deal noted his confidence in Utilities' financial projections over the five-year plan, particularly because of the need to work backwards from regulatory requirements to establish current needs and the fairly clear expectations on project costs based on proactive work Utilities is performing. He emphasized the significant amount of work Utilities performed to be confident in its projections. Mr. Deal also responded to Mr. Baum's request that Utilities request provision of energy from Xcel Energy. Mr. Deal explained that Utilities has explored the potential to purchase energy from an investor owned utility and that no such utilities responded to Utilities' related request for proposal.

63. Councilmember Henjum then expressed her support for Utilities proposals as the best approach to address the regulatory, reliability, and growth drivers impacting Utilities. She also acknowledged the impact the rate changes will have on individual customers.
64. Mr. Gearhart replied that Utilities is cognizant of the impact the rate changes will have on customers and that he and Utilities staff have met with many customers to understand their perspectives.
65. Next, Mr. Gearhart provided an additional comment in relation to Mr. Baum's comment that Utilities is not competitive with other utilities. Mr. Gearhart confirmed his confidence in the comparison data provided by Utilities and expressed his belief that the comparison data reference by Mr. Baum was based on limited, outdated information. He also emphasized the value of a municipally owned utility when looking at the overall comparisons between utility providers.
66. Councilmember Henjum then noted that a customer she spoke with was not concerned with how Utilities' rates compare to other utilities, but just the cost they would pay as a Utilities customer. Councilmember Henjum asked Utilities to address the value of rate comparisons.
67. Mr. Deal explained that comparing Utilities to other similar utility providers is valuable as it demonstrates that Utilities is driving to keep costs as low as possible while facing the same regulatory burdens as other similarly situated utilities.
68. Councilmember Michelle Talarico commented that she is concerned about the impact of the Energy-Wise program on hospitality industry customers and asked Utilities to comment on potential options for those customers.
69. Mr. Shirola confirmed that hospitality customers would receive customized communications and consulting from Utilities regarding the customer's options and that, along with residential customers, small commercial customers will have the option of the Fixed Seasonal electric rate.
70. President Helms determined that neither a break nor executive session were necessary.
71. Mr. Bidlack then polled City Council regarding the issues central to the Electric, Natural Gas, Water, and Wastewater Rate Schedules and the URR. Per City Council's request, Mr. Bidlack did not present every Issue for Decision, but instead asked that City Council indicate approval of Utilities' proposals as a whole, while noting any exceptions. City Council indicated approval and did not note any exceptions.
72. Mr. Bidlack then restated the future schedule for Utilities' rate filing, with the draft Decisions and Orders being presented to City Council for review prior to November 12, 2024, and for final approval on November 12, 2024.

73. The following are the proposed changes and the votes by City Council addressing the URRs:

- a) Should Utilities modify electric line extension fees and policies including updating fees to full cost, addition of congested space fees, and replacement of revenue guarantee contracts with fees based on time and materials cost with option for recovery agreement?

The City Council held that Utilities shall modify electric line extension fees and policies including updating fees to full cost, addition of congested space fees, and replacement of revenue guarantee contracts with fees based on time and materials cost with option for recovery agreement.

- b) Should Utilities modify the natural gas line extension fees replacing percentage based fees with cost per foot based fees and fees based on time and materials cost, updating fees to full cost, addition of congested space fees, and replacement of refund contracts with option for recovery agreement?

The City Council held that Utilities shall modify the natural gas line extension fees replacing percentage based fees with cost per foot based fees and fees based on time and materials cost, updating fees to full cost, addition of congested space fees, and replacement of refund contracts with option for recovery agreement.

- c) Should Utilities update the general, electric, natural gas, water, wastewater, and development fees to bring them to current cost?

The City Council held that Utilities shall update the general, electric, natural gas, water, wastewater, and development fees to bring them to current cost.

- d) Should Utilities add new development fees for wastewater analysis report and construction drawing review?

The City Council held that Utilities shall add new development fees for wastewater analysis report and construction drawing review.

- e) Should Utilities add annexation application fees applicable when annexation applications require utility studies and/or analysis not already included in Utilities' existing system plans?

The City Council held that Utilities shall add annexation application fees applicable when annexation applications require utility studies and/or analysis not already included in Utilities' existing system plans.

- f) Should Utilities add Large Load Interconnection Study requirements for customers requesting interconnection of loads exceeding 5 MW for electric, 2.5 Dth per hour for natural gas, .25 MGD per day for water, and .25 MGD per day for wastewater?

The City Council held that Utilities shall add Large Load Interconnection Study requirements for customers requesting interconnection of loads exceeding 5 MW for electric, 2.5 Dth per hour for natural gas, .25 MGD per day for water, and .25 MGD per day for wastewater.

- g) Should Utilities add Large Load Interconnection Study Fees for customers requesting interconnection of loads exceeding 20 MW for electric, 10 Dth per hour for natural gas, 1 MGD per day for Water, and 1 MGD per day for Wastewater?

The City Council held that Utilities shall add Large Load Interconnection Study Fees for customers requesting interconnection of loads exceeding 20 MW for electric, 10 Dth per hour for natural gas, 1 MGD per day for Water, and 1 MGD per day for Wastewater.

- h) Should Utilities add an alternate water and wastewater recovery agreement, unit recovery charge computation method, incorporating a compound interest factor?

The City Council held that Utilities shall add an alternate water and wastewater recovery agreement, unit recovery charge computation method, incorporating a compound interest factor.

- i) Should Utilities make the proposed changes to facilitate the Energy-Wise Time-of-Day program?

The City Council held that Utilities shall make the proposed changes to facilitate the Energy-Wise Time-of-Day program.

- j) Should Utilities make the proposed clerical changes to the URR?

The City Council held that Utilities shall make the proposed clerical changes to the URR.

74. President Helms then concluded the 2025 Rate Case Hearing.



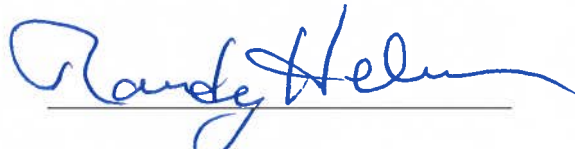
**ORDER**

THEREFORE, IT IS HEREBY ORDERED that:

The Utilities Rules and Regulations sheets as attached to the Resolution are adopted and will be effective on and after January 1, 2025. 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 12<sup>th</sup> day of November, 2024.

CITY OF COLORADO SPRINGS



Council President

ATTEST:



City Clerk





Colorado Springs Utilities  
*It's how we're all connected*

# 2025 Rate Case

Final Utilities Rules and Regulations  
(URR) Tariff Sheets