

RESOLUTION NO. 186 – 22

A RESOLUTION REGARDING CERTAIN CHANGES TO
THE NATURAL GAS RATE SCHEDULES OF COLORADO
SPRINGS UTILITIES

WHEREAS, Colorado Springs Utilities (Utilities) proposed modifications to the natural gas rate schedules; and

WHEREAS, Utilities proposed an administrative correction of general provisions to the Monthly Index definition; and

WHEREAS, Utilities proposed to modify general provisions to standardize optional rate contract expiration and renewal dates; and

WHEREAS, Utilities proposed to modify the Industrial Service – Interruptible (G2I, G3M) to add a provision allowing waiver of overrun charges in certain instances, lengthen the customer contract termination notice timeframe, and remove exemptions from the backup fuel requirement; and

WHEREAS, Utilities proposed to modify the Contract Service – Military Interruptible (GCS-INTS, GCS-G7M) to add a provision allowing waiver of overrun charges in certain instances; and

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

WHEREAS, the City Council finds that the proposed modifications to the natural gas rate schedules are just, reasonable, sufficient, and not unduly discriminatory and allow Utilities to collect revenues that enable Utilities to continue to operate in the best interest of all its Customers; and

WHEREAS, the details of the changes for each rate class noted above and all changes noted in the following clauses, are reflected in the tariff sheets attached to this resolution, are provided in redline format within Utilities' 2023 Rate Case, and are discussed further in the City Council Decision and Order for this case; and

WHEREAS, Utilities provided public notice of the proposed changes and complied with the requirements of the City Code for changing its natural gas rate schedules; and

WHEREAS, Utilities proposed to make the natural gas rate schedule tariff changes effective January 1, 2023, as noted in the table below; and

WHEREAS, specific rates, 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:

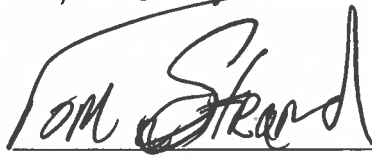
Section 1: That Colorado Springs Utilities Tariff, City Council Volume No. 6, Natural Gas Rate Schedules shall be revised as follows:

Effective January 1, 2023

City Council Vol. No. 6		
Sheet No.	Title	Cancels Sheet No.
Third Revised Sheet No. 3.1	GENERAL	Second Revised Sheet No. 3.1
Second Revised Sheet No. 3.2	GENERAL	First Revised Sheet No. 3.2
Third Revised Sheet No. 7	INDUSTRIAL SERVICE – INTERRUPTIBLE (G2I, G3M)	Second Revised Sheet No. 7
First Revised Sheet No. 7.1	INDUSTRIAL SERVICE – INTERRUPTIBLE (G2I, G3M)	Original Sheet No. 7.1
Third Revised Sheet No. 10	CONTRACT SERVICE – MILITARY INTERRUPTIBLE (GCS-INTS, GCS-G7M)	Second Revised Sheet No. 10
First Revised Sheet No. 10.1	CONTRACT SERVICE – MILITARY INTERRUPTIBLE (GCS-INTS, GCS-G7M)	Original Sheet No. 10.1

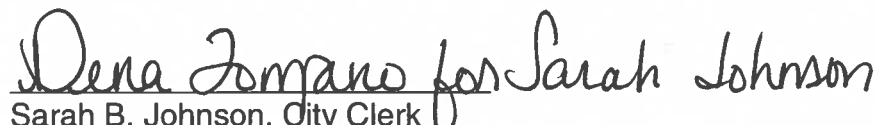
Section 2: The attached Tariff Sheets, Council Decision and Order, and other related matters are hereby approved and adopted.

Dated at Colorado Springs, Colorado, this 8th day of November 2022.



 Council President

ATTEST:


 Sarah B. Johnson, City Clerk

Natural Gas
Final Tariff Sheets



NATURAL GAS RATE SCHEDULES

GENERAL

basis for which monthly purchases for the Customer will be made. These monthly volumes will be set by Utilities with the Customer’s concurrence. If more than one primary sales gas meter serves a military installation, the meters will be totalized.

GAS DAY

Gas Day is a period of 24 consecutive hours commencing and ending at 8:00 a.m. Mountain Clock Time, adjusted for Daylight Savings Time when appropriate. “Clock Time” indicates that Utilities will adjust its Gas Day to reflect changes for Daylight Saving time.

INDICES

Monthly Index (G8M, G3M, GCS-G6M, GCS-G7M)

Index is the first of the month index gas price as published in “Inside FERC’s Gas Market Report” for the average of CIG (Rocky Mountains) and Cheyenne Hub. This published Index price will be converted to the applicable Ccf or Mcf at 12.01 PSIA basis for billing purposes.

Daily Index (G3D)

Daily Index is the gas price for the date of delivery as published in the Platts Gas Daily Report for the higher of CIG (Rocky Mountains) or Cheyenne Hub. The published Index price will be converted to Mcf at 12.01 PSIA basis for billing purposes.

Index 1 (G4T)

Index 1 is the higher of the first of the month Inside FERC Gas Market Report index gas price or Gas Daily daily gas midpoint gas price that occurs during a month at either CIG (Rocky Mountains) or Cheyenne Hub, whichever is higher. This published Index price will be converted to Mcf at 12.01 PSIA basis for billing purposes.

Index 2 (G4T)

Index 2 is the lower of the first of the month Inside FERC Gas Market Report index gas price or Gas Daily daily gas midpoint gas price that occurs during a month at either CIG (Rocky Mountains) or Cheyenne Hub, whichever is lower. This published Index price will be converted to Mcf at 12.01 PSIA basis for billing purposes.

Approval Date: November 8, 2022
Effective Date: January 1, 2023
Resolution No. _____



NATURAL GAS RATE SCHEDULES

GENERAL

Overrun Index (G2I, G3M, G3D, G4T, GCS-INTS, GCS-G7M)

The Unauthorized Overrun Charge and Daily Balancing Commodity Charge Restricted Delivery Day (RDD) Event will be the highest of \$40.00 per Mcf, first of the month index gas price as published in "Inside FERC's Gas Market Report," or the Daily Index for date of gas delivery as published in the Platts Gas Daily Report. The published Index prices will be the average of CIG (Rocky Mountains) and Cheyenne Hub converted to Mcf at 12.01 PSIA basis for billing purposes.

RATE OPTIONS

Customers may elect a rate option as more fully set forth on subsequent Natural Gas Rate Schedules subject to any applicable separate eligibility and contract requirements as noted. Unless otherwise noted, the initial contract period is from the rate option service start date to October 31st. Unless otherwise stated and as long as the Customer continues to meet the eligibility requirements, the rate option service contract shall be automatically renewed for an additional 12-month contract period each November 1st unless Customer provides advance written notice to Utilities not less than 30 days prior to the November 1st renewal date that Customer elects not to renew for the upcoming rate option contract year. Customers will be evaluated periodically to ensure they continue to meet the specified rate option eligibility requirements. In the event that a Customer is no longer eligible, the contract for rate option service shall not be renewed and shall automatically terminate at the end of the 12-month contract period on October 31st. Upon termination, Customer shall be required to move to the rate schedule to which they are eligible upon the end of the contract period.

RULES AND REGULATIONS

Service under these rate schedules will be in accordance with the provisions of Utilities' Rules and Regulations and *Line Extension and Service Standards* for Gas, and if applicable, the conditions of:

- A. any associated contract,
- B. the City Code of the City of Colorado Springs,
- C. the Colorado Revised Statutes,
- D. City Ordinances

Approval Date: November 8, 2022
Effective Date: January 1, 2023
Resolution No. _____



NATURAL GAS RATE SCHEDULES

INDUSTRIAL SERVICE – INTERRUPTIBLE (G2I, G3M)

AVAILABILITY

Available by contract in Utilities’ gas service territory for any establishment engaged in the operation of a business or an institution, whether or not for profit. Master meters will not be installed without Utilities’ approval.

Customer shall provide a dedicated 120-volt circuit prior to installation of the instrument communication equipment. Customer will coordinate the installation of measurement equipment and connection of the 120-volt circuit to communication equipment with Utilities. Customer must maintain continuous electric service to the gas measurement equipment. A Restoration of Service fee according to Utilities Rules and Regulations section I.B. will be charged for any Customer caused outage that Utilities investigates.

CURTAILMENT

Utilities reserves the right to curtail service to the Customer at any time. Interruptible gas sales service will be subordinate to all firm gas sales and firm gas transportation services.

Customer is required to have functional backup equipment and fuel with the ability to curtail for a minimum period of 24 hours when notified. The Customer is expected to perform reasonable maintenance and repairs of backup equipment. The Customer will demonstrate equipment and system functionality at the beginning of each Winter period of November through April with a test event coordinated by Utilities or an actual curtailment occurring within three months of the beginning of the Winter Period. If overrun volumes are used during a test due to system failures, Utilities may waive the Unauthorized Overrun Charge. The Customer must complete a successful test each heating season.

If the Customer fails to satisfactorily demonstrate functional backup equipment and fuel and/or has a history of two or more failed curtailments in a heating season during declared curtailment events, Utilities may move the Customer to firm service.

In the event of unforeseen backup equipment malfunction resulting in failure to curtail, the Customer may request waiver of the Unauthorized Overrun Charge for one curtailment event up to four hours per year. Submission of request for waiver must be made within two billing periods from the failure to curtail and shall include written affirmation of the malfunction and repair. Utilities shall have the right to deny a request for waiver or reduce the adjusted quantity if, in Utilities’ sole discretion, the malfunction or its magnitude is the result of negligence or malicious acts by the Customer.

Approval Date: November 8, 2022
Effective Date: January 1, 2023
Resolution No. _____



NATURAL GAS RATE SCHEDULES

INDUSTRIAL SERVICE – INTERRUPTIBLE (G2I, G3M)

INTERRUPTIBLE SERVICE AGREEMENT

Unless otherwise specified, the initial contract period is from the Interruptible Service Agreement (ISA) Service Start Date to October 31st. Unless otherwise stated, the ISA shall automatically renew for an additional 12-month contract period each November 1st, unless Customer provides advance written notice to Utilities no later than 60 days prior to the November 1st renewal date that Customer elects not to renew for the upcoming ISA year.

CONVERSION TO FIRM SERVICE

Customer requests to convert to firm service are conditional on Utilities’ capacity availability.

RATE OPTIONS

Customers may choose between the following:

- A. Standard Option (G2I)

- B. Monthly Index Option (G3M)

RATE

See Rate Table for applicable charges.

UNAUTHORIZED OVERRUN

Unauthorized overrun volumes are any gas used by a Customer during an Interruption or gas used in excess of volumes authorized by Utilities for use by Customer on the Daily Index option during a partial curtailment. Unauthorized overrun volumes will be calculated on Customer’s Metered Volumes for the period when Utilities has ordered an Interruption. For any unauthorized volumes, Customer shall pay the Unauthorized Overrun Charge.

Approval Date: November 8, 2022
Effective Date: January 1, 2023
Resolution No. _____



NATURAL GAS RATE SCHEDULES

CONTRACT SERVICE – MILITARY INTERRUPTIBLE (GCS-INTS, GCS-G7M)

AVAILABILITY

Available in Utilities’ gas service territory to the United States of America at the Fort Carson Military Installation, the Peterson Air Force Base, and the United States Air Force Academy.

CURTAILMENT

Utilities reserves the right to curtail service to the Customer at any time. Interruptible gas sales service will be subordinate to all firm gas sales and firm gas transportation services.

Customer is required to have functional backup equipment and fuel with the ability to curtail for a minimum period of 24 hours when notified. The Customer is expected to perform reasonable maintenance and repairs of backup equipment. The Customer will demonstrate equipment and system functionality at the beginning of each Winter period of November through April with a test event coordinated by Utilities or an actual curtailment occurring within three months of the beginning of the Winter Period. If overrun volumes are used during a test due to system failures, Utilities may waive the Unauthorized Overrun Charge. The Customer must complete a successful test each heating season.

If the Customer fails to satisfactorily demonstrate functional backup equipment and fuel and or has a history of failed curtailments during declared curtailment events, Utilities may move the Customer to firm service.

In the event of unforeseen backup equipment malfunction resulting in failure to curtail, the Customer may request waiver of the Unauthorized Overrun Charge for one curtailment event up to four hours per year. Submission of request for waiver must be made within two billing periods from the failure to curtail and shall include written affirmation of the malfunction and repair. Utilities shall have the right to deny a request for waiver or reduce the adjusted quantity if, in Utilities’ sole discretion, the malfunction or its magnitude is the result of negligence or malicious acts by the Customer.

CONVERSION TO FIRM SERVICE

Customer requests to convert to firm service are conditional on Utilities’ capacity availability.

Approval Date: November 8, 2022
Effective Date: January 1, 2023
Resolution No. _____



NATURAL GAS RATE SCHEDULES

CONTRACT SERVICE – MILITARY INTERRUPTIBLE (GCS-INTS, GCS-G7M)

RATE OPTIONS

Customers may choose between the following:

- A. Standard Option (GCS-INTS)

- B. Monthly Index Option (GCS-G7M)

RATE

See Rate Table for applicable charges.

UNAUTHORIZED OVERRUN

Unauthorized overrun volumes are any gas used by a Customer during an Interruption or gas used in excess of volumes authorized by Utilities for use by Customer on the Daily Index option during a partial curtailment. Unauthorized overrun volumes will be calculated on Customer's Metered Volumes for the period when Utilities has ordered an Interruption. For any unauthorized volumes, Customer shall pay the Unauthorized Overrun Charge.

Approval Date: November 8, 2022
Effective Date: January 1, 2023
Resolution No. _____

BEFORE THE CITY COUNCIL OF
THE CITY OF COLORADO SPRINGS

IN THE MATTER OF THE REVISION)
OF THE NATURAL GAS TARIFF OF) DECISION & ORDER 22-03 (NG)
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”), provides natural gas utility service within the City and within its Colorado Public Utilities Commission-certificated service territory outside of the City.
2. Utilities’ 2023 Rate Case filing includes proposed Cost of Service (“COS”) driven rate changes for Water and Wastewater services and proposes changes to the Electric, Natural Gas, Water, and Wastewater Rate Schedules, Utilities Rules and Regulations (“URR”) and Utilities’ Open Access Transmission Tariff (“OATT”).
3. Utilities engages in the purchase, transportation, storage, and distribution of natural gas. These activities incur fuel related (purchases, transportation, and storage) and non-fuel related (distribution) expenses. Fuel related expenditures are currently recovered through the Gas Cost Adjustment (“GCA”) and the Gas Capacity Charge (“GCC”). Non-fuel related expenditures are recovered through Access and Facilities and Transportation Charges.
4. Utilities’ 2023 Rate Case does not include a COS study for natural gas service as no base rate changes are proposed. Utilities filing proposes the following changes to the Natural Gas tariff:
 - a) **Monthly Index** (*Natural Gas Rate Schedules Sheet No. 3.1*) – Administrative correction to Monthly Index definition to reflect the United States Air Force Academy pressure correction to 12.01 Pounds per Square Inch Absolute (PSIA) for billing purposes.
 - b) **Rate Option Contracts** (*Natural Gas Rate Schedules Sheet No. 3.2*) – Modification of General provisions for optional rate contracts to standardize expiration (October 31st) and renewal (November 1st) dates to improve contract administration efficiency.
 - c) **Modifications Industrial Service – Interruptible (G2I, G3M)** (*Natural Gas Rate Schedules Sheet Nos. 7, and 7.1*) – The following changes are proposed:
 - i. Addition of provisions allowing waiver of overrun charges for an event up to four hours if customers experience equipment malfunction when transitioning to backup fuel supplies.

- ii. Removal of exemption from backup fuel supply requirement for customers with warm weather process loads.
 - iii. Extension of customer contract termination notice, from 30 to 60 days prior to renewal, to facilitate firm gas supply planning.
 - d) **Modifications Contract Service – Military Interruptible (GCS-INTS, GCS-G7M)** (*Natural Gas Rate Schedules Sheet Nos. 10 and 10.1*) – Addition of provisions allowing waiver of overrun charges for an event up to four hours if customers experience equipment malfunction when transitioning to backup fuel supplies.
5. In addition to the proposed Natural Gas Tariff revisions, Utilities’ 2023 Rate Case filing also proposes changes to the Electric, Water, and Wastewater Rate Schedules and the URR and OATT.
 6. The proposed effective date for Utilities’ tariff changes is January 1, 2023, except where otherwise noted in Utilities’ filing as June 1, 2023, and October 1, 2023.
 7. Utilities filed its tariff changes with the City Auditor, Mrs. Jacqueline Rowland, and with the City Attorney, Ms. Wynetta Massey, on August 12, 2022. Utilities then filed the enterprise’s formal proposals on September 13, 2022, with the City Clerk, Ms. Sarah Johnson, and a complete copy of the proposals was placed in the City Clerk’s Office for public inspection. Notice of the filing was published on-line at www.csu.org on September 13, 2022, and in *The Gazette* on September 14, 2022. These various notices and filings comply with the requirements of §12.1.108 of the City Code and the applicable provision of the Colorado Revised Statutes. Copies of the published and mailed notices are 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.
 8. The information provided to City Council and held open for public inspection at the City Clerk’s Office was supplemented by Utilities on October 18, 2022. The supplemental materials contained:
 - a) Updates to electric rate schedules based on the Electric Cost Adjustment (“ECA”) rates effective October 1, 2022;
 - b) The Office of the City Auditor’s audit report;
 - c) The legal notice affidavit of publication; and
 - d) Public outreach information.
 9. The City Auditor issued her findings on the proposed tariff changes prior to the rate hearing, dated October 2022, which found no need for formal recommendations and that

Utilities' filing was prepared accurately. A copy of that report is contained within the record.

10. On October 25, 2022, the City Council held a public hearing concerning the proposed changes to the Natural Gas, Electric, Water, and Wastewater Rate Schedules, URRs, and OATT. This hearing was conducted in accordance with §12.1.108 of the City Code, the procedural rules adopted by City Council, and the applicable provisions of state law.
11. City Council President Tom Strand commenced the rate hearing.
12. 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.
13. 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).
14. 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.
15. Mr. Tristan Gearhart, Utilities' Chief Planning and Finance Officer, provided the enterprise's proposals.
16. Mr. Gearhart started by providing a summary of Utilities' procedural compliance with rate case standards and then moved to the 2023 Rate Case Overview, noting proposed changes to the Electric, Natural Gas, Water, and Wastewater Rate Schedules, the URR, and the OATT.
17. Mr. Gearhart's first topic of presentation was Water Service. He explained Utilities' need for a water rate increase. The water rate drivers are (1) inflationary increases in labor, benefits, and system maintenance and (2) funding infrastructure investments, including the Advanced Metering Infrastructure ("AMI") and Airport Highline projects and water debt additions.
18. Councilmember Nancy Henjum asked for clarification about what constitutes the referenced water debt additions, specifically whether it is solely for continued water rights

acquisitions. Mr. Gearhart explained that the water debt listed as a rate driver includes both prior acquired debt and new debt associated with additional acquisitions.

19. President Strand then asked for clarification about the time frame of the rate drivers. Mr. Gearhart noted that the rate drivers associated with Utilities' filling are based on the 2023 budget and the need to cover those associated costs.
20. Next, Mr. Gearhart noted that the total water proposed revenue from rates is \$219.8 million for 2023, which is \$10.4 million higher than revenue under current rates. These factors result in an overall water system rate increase of 5.0%. He also explained that the residential rates are designed in compliance with the Rate Design Guidelines in support of water conservation, affordability, and revenue stability; and explained the impact of the proposed rates on each residential rate block.
21. Following Mr. Gearhart's comments in relation to Utilities' residential water block structure, several councilmembers provided comments and questions.
22. Councilmember Mike O'Malley commented that he received comments from several rate payers expressing concern about tiered water pricing and the impact that it has on families. Mr. Gearhart responded that it is impossible to comment on the impact to a specific customer without knowing their specific utility usage, but that the block rate structure has reduced water use over many years, as it was designed to do. Councilmember O'Malley stated that the block water rate structure should be revisited.
23. Councilmember Randy Helms expressed concern about the current sizes of the tiered water rate blocks and the potential for a customer to move into Block Two too easily. He also asked for historical information on the block structure. Mr. Gearhart noted that Utilities' transition to AMI will provide additional data that may help guide future revisions.
24. Mr. Scott Shirola, Utilities' Manager of Pricing and Rates, provided additional background information on Utilities' water rate block structure. Prior to 2007, there was a brief period of interim block rate structure during summer months, with a flat water rate structure in the winter months. Prior to that period, all water usage was billed at a flat rate. Additionally, in 2017 a study determined that 92% of residential customers stay within Block One for their domestic use, with the average residential indoor use being around 500 cf per month.
25. Councilmember Henjum expressed her opinion that Utilities' block water rate structure should be celebrated as a success given the dramatic improvement in water conservation since its implementation, particularly when paired with the City's increased population.
26. Councilmember Dave Donelson noted his personal experience with the block water rate structure and how it has encouraged him to monitor his use and conservation methods.
27. President Strand then asked for clarification regarding the price differentials between the water rate blocks and why the rates for Blocks Two and Three are presented as in relation to Blocks One and Two, as opposed the cost of providing water service. Mr. Shirola noted

that each rate block is designed to drive conservation and ensure that the full revenue requirement of water service is recovered.

28. Councilmember Wayne Williams commented that there are multiple ways to look at the pricing allocations within the block water rate structure and that while it may be beneficial to reevaluate the size of the blocks, such a change would be appropriate following a full evaluation in a future rate case.
29. The proposed water rate changes for individual classes are: (1) Residential Service 5.1%, (2) Nonresidential Service 4.4%, (3) Large Nonseasonal Services 5.9%, and (4) Contract Service – Military 7.6%. Additionally, water rate changes include: (1) Contract Service – Regional – Full Service 9.5%, (2) Contract Service – Regional – Convey, Treat and Deliver 12.5%, (3) Nonpotable – Miscellaneous Service 7.5%, (4) Nonpotable – Contract Service 7.5%, (5) Augmentation 4.8%, and (6) Temporary Service – Hydrant Use 4.4%.
30. President Strand then asked for clarification on the definition of “nonresidential.” Mr. Gearhart noted that nonresidential water customers are those that do not have a residential purpose and include industrial and commercial customers.
31. Councilmember Henjum asked why the percentage increase to the Contract Service – Regional – Convey, Treat and Deliver rate is higher than the percentage increase to the Contract Service – Regional – Full Service, given the importance of water. Mr. Gearhart noted the differences between the two rates and that the proposed increases are the changes to the cost of the rates, not the rates overall. Mr. Shirola added that the cost of service looks at the different components of Utilities’ water system and that the base rates primarily deal with infrastructure. Because the different services have different cost components subject to different inflation impacts, the rates may not move in parallel.
32. President Strand then asked for additional information on the Temporary Service – Hydrant Use rate and the impact to fire suppression activities. Mr. Gearhart explained the use of the rate for temporary construction use, and Mr. Shirola added that the Colorado Springs Fire Department is not charged for water used in fire suppression.
33. Mr. Gearhart next presented the enterprise’s proposed changes to Wastewater Service. He explained the rate drivers for the proposed wastewater rate increase are (1) inflationary increases in labor, benefits, and system maintenance and (2) funding infrastructure investments, including the Clear Spring Ranch Biogas and the North Monument Creek Interceptor projects. Utilities’ proposed changes reflect a total wastewater proposed revenue from rates of \$73.6 million for 2023, which is \$2.8 million more than revenue under current rates. The overall proposed wastewater system rate increase is 4.0%.
34. The proposed wastewater rate changes for individual classes are: (1) Residential Service 2.3%, (2) Nonresidential Service 9.9%, (3) Contract Service – Military 10.2%, (4) Liquid Waste Hauler 0.0%, and (5) Contract Service – Regional 7.7%.

35. To close the portion of his presentation addressing base rate adjustments, Mr. Gearhart provided a sample, total service bill. The overall impact of the proposed water and wastewater rate changes to the sample bill are: (1) Residential 2.1%, (2) Commercial 0.9%, and (3) Industrial 0.5%. The presentation also noted that nationwide inflation has risen significantly more than the proposed changes over the period of time since the last changes to the water and wastewater rates that went into effect on January 1, 2020.
36. President Strand then confirmed that the proposed water and wastewater rate changes are effective January 1, 2023.
37. Councilmember Henjum commented that while Utilities' budget is increasing significantly, much of that is for the cost of natural gas; and that customers' utility bills are not increasing because of the budget change.
38. Councilmember Donelson commented to highlight that the proposed water and wastewater rate increases compare very favorably to price increases of many forms around the country.
39. Next, Mr. Gearhart provided a summary of the proposed, non-base rate changes to the Electric Service:
 - a) Residential Service Time of Day ("TOD") Option – Modification to on-peak and off-peak period definitions, with the On-Peak Period being 4:00pm – 8:00pm Monday through Friday; modification to seasonal definitions with the Summer Period being June through September; and adjustment to On-Peak and Off-Peak Access and Facilities Charges.
 - b) Commercial Service – General TOD Option – Adjustment to On-Peak and Off-Peak Access and Facilities Charges.
 - c) Green Power Service – Increase program availability from 7,000,000 kWh per month to 12,000,000 kWh per month and modify pricing to reflect firm nature of service and transfer of Renewable Energy Credit ("REC").
 - d) Industrial Service – Interruptible – Addition of a new interruptible rate schedule, which is available to customers whose maximum demand exceeds 500 kW. These customers are subject to Utilities' direct load control without notice and provided an interruptible credit based on Utilities' avoided capacity cost.
 - e) Electric Vehicle Public Charging – TOD – Addition of a new electric vehicle public charging rate schedule providing On-Peak and Off-Peak TOD pricing for two levels of service: Level II and Direct Current Fast Charging. The rate includes time of use elements and idle fees starting 15 minutes after charge is complete.
40. During Mr. Gearhart's presentation, President Strand asked how many electric vehicle chargers Utilities operates and Mr. Gearhart answered six chargers across four charging stations.
41. Mr. Gearhart concluded the portion of his presentation on tariff changes by noting the remaining non-rate based changes proposed in Utilities' filing, including changes to the Electric, Natural Gas, and Water Rate Schedules, as well as, the URR and the OATT:

- a) Administrative Changes in Electric, Natural Gas, Water, and Wastewater Rate Schedules – Modifications to standardize contract expiration and renewal dates as well as other administrative corrections.
- b) Electric Rate Schedules – Additional changes include removal of the reference to the ELG supply credit in the Industrial Service – Large Power and Light (“ELG”), and broadening the availability of the Community Solar Garden Bill Credit Pilot Program (currently limited to residential customers and educational institutions) to include non-profit organizations.
- c) Natural Gas Rate Schedules – Changes to the Natural Gas Rate Schedule are (1) modifications to the Industrial Service – Interruptible rate with the addition of provisions allowing waiver of overrun charges; removal of exemption from backup fuel supply for warm weather process loads; and lengthening customer termination notice from 30 to 60 days; and (2) the addition of provisions allowing waiver of overrun charges to the Contract Service – Military Interruptible rate.
- d) Water Rate Schedules – A change to the Contract Service – Regional with the addition of Standby Service for customers requiring temporary service.
- e) Utilities Rules and Regulations – The changes to the URR are (1) the addition of account access provisions allowing Utilities to accept information release authorizations from customers provided in forms used by authorized assistance agencies; (2) the modification within the Water and Wastewater Oversize Recovery provisions of capacity determinations and elimination of the Large Main Extension Fund 25% upfront requirement; and (3) addition of a Standby Service Water Regional System Availability Fee.
- f) Open Access Transmission Tariff – Changes eliminate certain terms and conditions associated with the crediting-related provisions related to network upgrades within the Standard Large Generator Interconnection Procedures Standard Large Generator Interconnection Agreement.

42. Next, Mr. Gearhart addressed the customer outreach Utilities performed in relation to the 2023 Rate Case filing. The customer outreach included electronic communications, social media channel communications, newsletter information about the proposal and hearing dates, required public notice, and meetings with commercial and industrial customers. He then noted Utilities’ programs that are in place to assist customers: (1) bill assistance through Project COPE and the Low Income Energy Assistance Program, (2) high bill counseling through conservation education and the Home Energy Assistance Program, (3) payment plans through Utilities’ Budget Billing program, and (4) efficiency rebates.

43. Mrs. Rowland noted that the Office of the City Auditor reviewed Utilities’ filing and found no issues with it. City Council did not have any questions for Mrs. Rowland.

44. After Utilities’ presentation, President Strand opened the floor for public comment. One member of the public spoke. Mr. Jaymen Johnson complemented Utilities’ filing and expressed his support for the proposals. He also asked for the location of Utilities’ electric vehicle charging stations and the proposed rates associated with them. Mr. Gearhart summarized the electric vehicle charging station rates included in Utilities’ filing and noted

that the stations are located at Utilities' Mesa Conservation Center, Utilities' Leon Young Service Center, and the City Administration Building Parking Garage.

45. Following the opportunity for public comment, President Strand opened the floor to questions or comments from City Council; however, there were no additional comments or questions.
46. Based on the lack of questions or comments, President Strand determined that neither a break nor executive session were necessary.
47. Mr. Bidlack provided clarity on the procedural process for the hearing and explained that no motion was needed at the hearing as formal action on the resolutions related to Utilities' proposed changes will be taken by City Council at the November 8, 2022, City Council meeting.
48. Mr. Bidlack then polled City Council regarding the issues central to the Natural Gas, Electric, Water, and Wastewater Rate Schedules, the URR and the OATT. 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.
49. Mr. Bidlack then restated the future schedule for Utilities' rate filing, with the draft Decisions and Orders being presented to City Council for review on November 7, 2022, and for final approval on November 8, 2022.
50. The following are the proposed changes and the votes by City Council addressing the Natural Gas Tariff:

- a) Should Utilities make an administrative correction of general provisions to the Monthly Index definition?

The City Council held that Utilities shall make an administrative correction of general provisions to the Monthly Index definition.

- b) Should Utilities modify general provisions to standardize optional rate contract expiration and renewal dates?

The City Council held that Utilities shall modify general provisions to standardize optional rate contract expiration and renewal dates.

- c) Should Utilities modify the Industrial Service – Interruptible (G2I, G3M) to add a provision allowing waiver of overrun charges in certain instances, lengthen the customer contract termination notice timeframe, and remove exemptions from the backup fuel requirement?

The City Council held that Utilities shall modify the Industrial Service – Interruptible (G2I, G3M) to add a provision allowing waiver of overrun charges in certain instances, lengthen the customer contract termination notice timeframe, and remove exemptions from the backup fuel requirement.

- d) Should Utilities modify the Contract Service – Military Interruptible (GCS-INTS, GCS-G7M) to add a provision allowing waiver of overrun charges in certain instances?

The City Council held that Utilities shall modify the Contract Service – Military Interruptible (GCS-INTS, GCS-G7M) to add a provision allowing waiver of overrun charges in certain instances.

51. President Strand then concluded the 2023 Rate Case Hearing.

ORDER

THEREFORE, IT IS HEREBY ORDERED that:

The Natural Gas Tariff sheets as attached to the Resolution are adopted and will be effective on and after January 1, 2023. Such tariff sheets shall be published and held open for public review and shall remain effective until changed by subsequent Resolution duly adopted by City Council.

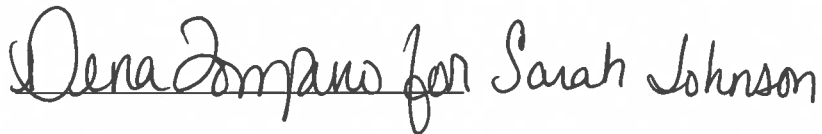
Dated this 8th day of November, 2022.

CITY OF COLORADO SPRINGS

A handwritten signature in black ink, appearing to read "Paul Grand", written over a horizontal line.

Council President

ATTEST:

A handwritten signature in black ink, appearing to read "Dena Tompkins for Sarah Johnson", written over a horizontal line.

City Clerk