



RE: 21A-0141E, Revised Settlement Agreement

Dear Commissioners,

The Colorado Coalition for a Livable Climate (CCLC) consists of 43 Colorado organizations¹ and over 100 allies from Colorado’s environmental, community and religious organizations. Our members are committed to ensuring a livable climate consistent with the Paris Climate Accords and that Colorado should become carbon neutral by 2030.

The CCLC respectfully requests that you make the following adjustments to the revised Settlement Agreement submitted on April 26, 2022 in the Xcel Electric Resource Plan proceeding (21A-0141E):

1) Paragraph 31—Retire the Pueblo Unit 3 coal plant (the one Xcel calls “Comanche 3”) now. It doesn’t make sense to assume that this highly unreliable coal plant that has been operated poorly will suddenly provide a reliable resource going forward. We should stop wasting time and money on this mistake and start investing our time and money in resources, both demand side and supply side that will help build a truly reliable, low-carbon electrical system for Xcel’s Colorado customers.

2) Paragraph 35—Ensure that the language on cost recovery for Pueblo Unit 3 is clear to ensure that ratepayers will not be expected to pay off costs that were imprudently incurred or for resources that have been imprudently operated. In general, CCLC does not believe the complicated issues of cost recovery should be determined in this Electric Resource Plan, especially as a result of Settlement discussions that did not include all the potentially interested parties.

3) Paragraph 45—Eliminate this paragraph that specifies that Xcel will be allowed to own \$690 million in replacement resources—this rewards Xcel for having made an imprudent decision to build a coal plant in the 21st century and then to have operated it imprudently. If Xcel is not held accountable for their mistakes, they are likely to keep making them. Regulators are supposed to ensure that customers are protected from paying for imprudent investments

¹ CCLC members are listed on the CCLC webpage at <https://colivableclimate.org/about-cclc/>

and operations. This is your opportunity to both protect customers and ensure Xcel makes prudent, responsible choices going forward.

4) Paragraph 65—Require the next full and integrated Electric Resource Plan to be submitted by October 31, 2024. In order to develop plans that use the full array of demand-side and supply-side resources, the Electric Resource Plan process should be an integrated process that includes consideration of demand-side resources at the same time as supply-side resources and allows demand-side resources to bid into the Request for Proposals that is issued in Phase II of the process. If the Just Transition Resource Plan is transformed into an integrated process that includes consideration of demand-side and supply-side resources at the same time, this could fulfill this request.

The CCLC appreciates your consideration of these requests and asks the Commissioners to recognize that the revised Settlement Agreement was negotiated in a closed-door process that locked out the thousands of Colorado citizens that recognize the urgency of the climate crisis and care deeply about how the decisions in this ERP will affect Colorado, the planet, future generations and the species we share this planet with.

In this regard, the CCLC respectfully requests that the PUC consider holding one or more public hearings before making a decision about how to revise the Settlement Agreement to make it more truly reflect the broad public interest—and not just the interests of the settling parties.

Thank you for your consideration of our comments

/s/ Janette S. Rose

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