



August 13, 2024

Colorado Public Utilities Commission  
1560 Broadway, Suite 250  
Denver, CO 80202

**Re: Proceeding No. 24M-0173E Feedback on the Public Service Company of Colorado's Response to the Commission's Request for Additional Information in the Matter of the Commission's Investigation into the April 2024 Front Range Windstorm and Xcel Energy's Public Service Power Shut-Offs**

Dear Chairman and Commissioners,

The American Lung Association advocates for the estimated 35 million people in the United States living with chronic lung disease, including more than 850,000 Coloradans. We recognize the serious public health dangers that come with wildfires, particularly as climate change is leading to more frequent and more severe wildfires in Colorado and throughout the region. The Lung Association educates about ways to protect lung health before and during wildfire smoke events and supports mitigation strategies, including prescribed burning, under circumstances that minimize negative public health impacts.

The Lung Association also advocates for emergency preparedness, particularly for individuals who rely on durable medical equipment (DME) like portable oxygen concentrators and supplemental oxygen. More than 1.5 million adults in the US require some form of oxygen therapy, and Colorado is among the states with the highest rates of utilization<sup>1</sup>. Other groups who are especially vulnerable during emergency events include individuals with chronic conditions, physical or developmental disabilities, limited English proficiency, older adults, children, pregnant individuals, and people without homes.

Xcel's use of a Public Safety Power Shutoff (PSPS) during the April 2024 Front Range windstorm should raise serious questions with the Public Utilities Commission about the circumstances when PSPS are appropriate, the guardrails necessary to protect the public, and communications protocols to minimize the burden on vulnerable populations. We applaud the decision to open an investigation and gather public comment.

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<sup>1</sup> [Geographic Differences in Use of Home Oxygen for Obstructive Lung Disease: A National Medicare Study](#)

The public record is full of stories of medically vulnerable Coloradans who were seriously and adversely affected by Xcel's decision to execute a PSPS event and its poor communication before, during, and after the windstorm. The Commission is right to press for additional information regarding how Xcel plans to provide more robust outreach and support for medically dependent and other vulnerable Coloradans when a PSPS is necessary. We urge the Commission to apply deeper scrutiny to the circumstances when a PSPS is necessary and appropriate for public safety, including weighing the risk of public health harms from utility-ignited wildfires against the harms of shutting off power, whether the utility has reasonably considered other alternatives, and the utility's efforts to mitigate adverse impacts to customers. Given the significant impact to residents, especially medically vulnerable residents, a PSPS should be implemented as a last resort.

Although the April 2024 PSPS event may have been Colorado's first, PSPS events are not a new tactic in the utility industry. The public is right to question why Xcel failed to execute standard industry protocols like enhanced communications with medical baseline customers and other vulnerable populations. We encourage the Commission to develop strong directives to utilities to require improved preparation and communication with their customers regarding PSPS. In line with guidelines from the California Public Utilities Commission,<sup>2</sup> we recommend that the Commission require annual PSPS tabletop exercises, enrollment benchmarks and reporting requirements for growing vulnerable customer programs, and standards for accessibility and services available at community resource centers, including oxygen tanks and charging for medical devices.

We appreciate Xcel's proposals to grow their list of customers who rely on electric medical equipment and improve communication and outreach to customers through multiple channels and in multiple languages. We urge Xcel to apply **more robust strategies to identify medical and other access needs**. Xcel's current communication plans include goals to improve communication with Critical Customers like medical facilities. Plans to identify Qualifying Medical Customers should go beyond encouraging customers to self-identify, which places the burden on the vulnerable individuals.

Much more work should be done to coordinate with healthcare providers and DME distributors to identify and communicate with their patients and customers. In the case of individuals who rely on portable oxygen concentrators and supplemental oxygen, even an advance warning of 48-72 hours prior to a PSPS event may not be enough time for a supplemental oxygen distributor to respond to a customer's request for extra oxygen tanks. An oxygen distributor located outside of an area subject to a PSPS may

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<sup>2</sup> [Evolution of PPS Guidelines \(ca.gov\)](https://www.cpuc.ca.gov/Energy/Regulation/Policy-Analysis/Policy-Analysis-2022-01-01-Evolution-of-PSPS-Guidelines)

have customers who are affected. Improved communication directly with DME distributors could help the distributors provide more timely support for their customers.

As we saw during the April 2024 Front Range windstorm, PSPS events significantly impact Coloradans and should only be implemented with additional guardrails when absolutely necessary. Without adequate notice prior to a PSPS event and timely, accurate communications during the event, a person who relies on oxygen therapy might be left with no other option but an emergency department. We urge Xcel to follow through with its proposals to proactively communicate with impacted customers and implement additional strategies to ensure medically vulnerable residents have necessary support during future PSPS events.

Respectfully,

Nick Torres

Director, Advocacy