

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 24AL-0105E

IN THE MATTER OF ADVICE LETTER NO. 866 FILED BY BLACK HILLS COLORADO ELECTRIC, LLC DOING BUSINESS AS BLACK HILLS ENERGY TO INCREASE THE BLACK HILLS AFFORDABILITY PROGRAM FUNDING RATE, TO BECOME EFFECTIVE APRIL 10, 2024.

**INTERIM COMMISSION DECISION GRANTING
REQUEST FOR ALTERNATIVE FORM OF NOTICE**

Mailed Date: March 20, 2024
Adopted Date: March 13, 2024

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On March 5, 2024, Black Hills Colorado Electric, LLC doing business as Black Hills Energy (Black Hills or Company) filed a Motion for Approval of Alternative Forms of Notice (Motion) to apply to the Company's Advice Letter No. 866 – Electric, through which the Company seeks to increase the Black Hills Affordability Program (BHEAP) fees to increase the available funding by approximately \$2.8M annually. Black Hills states the BHEAP residential fee will increase to \$1.00 per month, to be effective April 10, 2024. Black Hills has also filed Advice Letter No. 865 in Proceeding No. 24AL-0104E to stop the collection of the Extraordinary Gas Cost Recovery Rider (EGCRR) from all customers effective April 10, 2024. Together, these two rate adjustments will decrease the average residential customer monthly bill by \$2.98 from \$113.15 to \$110.17, or 2.63 percent.

2. Black Hills states the Motion only pertains to a request for alternative form of notice for the Company's amendments to its Tariff to reflect the BHEAP revisions. Black Hills explains

that on March 1, 2024, in Proceeding No. 24AL-0104E, the Company submitted its proposed amendment to stop the collection of the EGCR, beginning April 10, 2024. Given the proposed effective date of April 10, 2024, for the BHEAP fees and EGCR, the Company is seeking approval in this Motion to provide alternative notice that reflects the filing of these two adjustments.

3. Black Hills moves pursuant to § 40-3-104(1)(c)(I)(E), C.R.S., and Rule 1207(b), 4 *Code of Colorado Regulations* (CCR) 723-1, of the Commission's Rules of Practice and Procedure, to provide alternative forms of notice for the Company's filing to its customers. Black Hills requests Commission approval to use the following forms of notice:

- Filing with the Commission, and keeping open for inspection, Advice Letter No. 866-Electric. The Company will also post on its website at the time of filing: (1) a Customer Notice attached to the Motion as Attachment 1 (Customer Notice) and (2) Advice Letter No. 866-Electric and its accompanying tariff sheet, for 30 days. The website posting will include a reference to the proceeding number. The Customer Notice includes amendments and impacts of the BHEAP and EGCR filings that have been proposed to be effective April 10, 2024, so as to provide customers with complete and comprehensive notice of the changes Black Hills is proposing to their rates;
- Printing a message as set forth in the Motion on each applicable customer's bill providing the website URL for the Customer Notice and Advice Letter No. 866-Electric and its accompanying tariff sheet, and a toll-free phone number for assistance; and
- Publishing the Customer Notice with size dimensions of four columns width and 11 inches height, in three newspapers of general circulation for the service territory: (1) *The Pueblo Chieftain* (two consecutive Tuesdays); (2) the *Cañon City Daily Record* (two consecutive Fridays); and (3) the *Rocky Ford Daily Gazette* (two consecutive Thursdays).

4. Black Hills maintains that good cause exists for the Commission to approve the proposed alternative form of notice, including the consolidated approach, and that it will avoid incurring the expenses that are entailed in other forms of statutory notice. The Company asserts the proposed alternative forms of notice will ensure general notice to customers throughout the

Company's service territory and that the newspaper publications will also provide combined notice of the Company's amendments to its BHEAP and EGCRB granting customers comprehensive notice of multiple adjustments that will take effect on April 10, 2024.

5. Pursuant to § 40-3-104(1)(c)(I)(E), C.R.S., and 4 CCR 723-1-1207(b) of the Commission's Rules of Practice and Procedure, a utility may request to provide alternative forms of notice of a tariff change. We find the alternative forms of notice the Company proposes in the Motion will provide sufficient notice to its customers and will do so efficiently. We therefore find good cause to approve the alternative forms of notice that the Company requests.

II. ORDER

A. It Is Ordered That:

1. The Motion for Approval of Alternative Form of Notice, filed by Black Hills Colorado Electric, LLC doing business as Black Hills Energy, on March 5, 2024, is granted.

2. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
March 13, 2024.**

(S E A L)



ATTEST: A TRUE COPY

Rebecca E. White,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ERIC BLANK

MEGAN M. GILMAN

TOM PLANT

Commissioners