

Decision No. R24-0618-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 23A-0633G

IN THE MATTER OF THE VERIFIED APPLICATION OF BLACK HILLS COLORADO GAS, INC. FOR APPROVAL OF ITS 2024-2028 CLEAN HEAT PLAN.

**INTERIM DECISION MODIFYING
HEARING SCHEDULE**

Issued Date: August 27, 2024

I. STATEMENT AND PROCEDURAL HISTORY¹

1. Black Hills Colorado Gas, Inc., doing business as Black Hills Energy (“BHCG” or “the Company”), initiated this matter on December 29, 2023, by filing its Verified Application with the Public Utilities Commission of the State of Colorado (“PUC or Commission”) seeking approval of its 2024-2028 Clean Heat Plan.²

2. By Decision No. R24-0326-I, issued on May 13, 2024, the undersigned Administrative Law Judge (“ALJ”) scheduled a hybrid evidentiary hearing to be held August 28-30, 2024, and established a procedural schedule to govern this Proceeding.

3. On August 16, 2024, BHCG filed its Motion to Approve Settlement Agreement (“Motion”). The Motion indicated that BHCG, Staff of the Colorado Public Utilities Commission (“Staff”), the Colorado Office of the Utility Consumer Advocate (“UCA”), and the Colorado Energy Office (“CEO”) are Settling Parties to the Settlement Agreement. The Motion also

¹ Only the procedural history necessary to understand this Decision has been included.

² Verified Application of Black Hills Colorado Gas, Inc., doing business as Black Hills Energy, filed Dec. 29, 2023, p. 1.

acknowledged that Southwest Energy Efficiency Project (“SWEET”) is also a party to this proceeding, but is not a party to the Settlement Agreement.

4. On August 22, 2024, the Joint Witness Examination Matrix (“Examination Matrix”) was filed.

II. VACATION AND SCHEDULE OF EVIDENTIARY HEARING

5. The undersigned ALJ informally contacted the parties via email to inquire about their positions regarding the settlement and the evidentiary hearing. The parties and the undersigned ALJ exchanged numerous emails discussing the amount of time that would be necessary to complete the evidentiary hearing.

6. The Examination Matrix estimates approximately four hours of cross-examination time will be necessary for this matter.

7. After considerable discussion, the parties agreed to vacate the August 28, 2024 hearing and commence the evidentiary hearing on August 29, 2024, as the parties are optimistic that the hearing will be completed in one day.

8. The ALJ finds and concludes that vacating the evidentiary hearing scheduled to commence on August 28, 2024 is appropriate and warranted to provide the ALJ additional time to review the settlement and prepare for the hearing.

9. The ALJ will therefore vacate the evidentiary hearing currently set for August 28 and 30, 2024 and will instead hold a one-day hybrid evidentiary hearing on the Motion on August 29, 2024.

III. ORDER

It is Ordered That:

1. The evidentiary hearing scheduled for August 28 and 30, 2024, is vacated.
2. A hybrid evidentiary hearing on the Motion to Approve Settlement Agreement filed by Black Hills Colorado Gas Inc., Staff of the Colorado Public Utilities Commission, the Colorado Office of the Utility Consumer Advocate, and the Colorado Energy Office, on August 16, 2024, is scheduled as follows:

DATE: August 29, 2024

TIME: 9:00 a.m.

PLACE: Commission Hearing Room
1560 Broadway, Suite 250
Denver, Colorado

METHOD: In-person and by videoconference using Zoom at the link to be provided to counsel and the parties via email prior to the hearing.

Optionally, any party, witness, or counsel may participate remotely by joining a video conference using Zoom at the link provided to the established parties in an e-mail prior to the scheduled hearing, as addressed above.

3. Participants in the hearing may not distribute the hearing link, access, or ID code to anyone not participating in the hearing. Participants may not appear in person at the Commission for the above-scheduled hearing. Instead, they must participate in the hearing from remote locations, consistent with the requirements of this Decision.

4. **Instructions for Remote Hearings Via Zoom:** Detailed instructions governing participation in and procedures for remote hearings conducted via Zoom are set out in Attachment A to Decision No. R24-0326-I and incorporated herein.

5. The remainder of the procedural schedule adopted by Decision No, R24-0326-I will remain in effect, including all procedures governing the preparation and presentation of exhibits at the evidentiary hearing as set forth in that Decision and in Attachments A and B to Decision No. R24-0326-I.

6. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ALENKA HAN

Administrative Law Judge

ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Rebecca E. White".

Rebecca E. White,
Director