

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 20AL-0073E

IN THE MATTER OF ADVICE LETTER NO. 785 FILED BY BLACK HILLS COLORADO ELECTRIC, LLC TO INCREASE THE ENERGY COST ADJUSTMENT (ECA) TO BECOME EFFECTIVE APRIL 1, 2020.

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

Mailed Date: March 4, 2020

Adopted Date: March 4, 2020

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On February 27, 2020, Black Hills Colorado Electric, LLC (Black Hills or the Company) filed a Motion for Approval of Alternative Form of Notice (Motion) to apply to Black Hills' Advice Letter No. 785 – Electric to amend its Energy Cost Adjustment (ECA) calculation inputs, on Tariff Sheet No. 65, in the Rates section of its Colo. P.U.C. No. 11-Electric Tariff. Black Hills includes that the ECA is applicable to all retail customers, and that the proposed tariff amendments would increase the ECA rate from \$0.03674 per kWh to \$0.03714 per kWh, beginning April 1, 2020.

2. By its Motion, Black Hills seeks approval to use as alternative notice for its amendments to its ECA to include the following:

- a. Filing with the Commission, and keeping open for inspection, Advice letter No. 785-Electric, in addition to posting the advice letter and customer notice, as discussed in the Motion;
- b. Printing a message on each applicable customer's bill for one full billing cycle, in addition to providing the website URL for customer notice and Advice Letter No. 785-Electric and its accompanying tariff sheet, and a

toll-free phone number for assistance, beginning one week after the filing of Advice Letter No. 785-Electric.

- c. Publishing legal notice of Advice Letter No. 785-Electric in three newspapers of general circulation for the service territory: 1) *The Pueblo Chieftain*, two consecutive Tuesdays, March 3 and 10, 2020; 2) the *Canon City Daily Record*, two consecutive Fridays, March 6 and 13, 2020; and 3) the *Rocky Ford Daily Gazette*, two consecutive Thursdays, March 5 and March 12, 2020.

3. Black Hills states that the above-listed alternative form of notice is necessary, even though Senate Bill 19-236 changed the alternative form of notices allowable pursuant to § 40-3-104(1)(c)(I), C.R.S. Black Hills represents that the statutory notice either involves unwarranted time and materials expenses, or they conflict with the Company's billing cycles, preventing the Company from delivering bill messages or bill inserts to affected customers during the first 20 days of the 30-day period before the effective date. In addition, Black Hills states that, at this time, a vast number of the Company's customers are not enrolled to receive alerts via email or text. Black Hills further includes that it believes that through noticing the customers via bill messages, legal notice publication, and the required website posting, the Company will be able to reach all customers in the service territory in an affordable and efficient manner.

4. As good cause to grant the Motion, Black Hills states that the bill message does not conflict with the Company's billing cycle, and provides visibility to the customer; the toll-free phone number provided in the bill message will give customers a second option to learn more about the amended tariff if the customer cannot access the website; and newspaper publications will ensure general notice to customers throughout the Company's service territory.

5. Pursuant to § 40-3-104(1)(c)(I)(E), C.R.S., and 4 *Code of Colorado Regulations* 723-1-1207(b) of the Commission's Rules of Practice and Procedure, a utility may request to

provide an alternative form of notice of proposed tariff changes. We find the alternative form of notice proposed by Black Hills in its Motion to apply to Advice Letter No. 785-Electric, is reasonable with respect to the Company’s stakeholders and its general body of electric ratepayers. We therefore find good cause to approve the alternative form of notice requested by Public Service.

II. ORDER

A. It Is Ordered That:

1. The request for alternative form of notice to apply to Advice Letter No. 785-Electric proposed in the Motion for Alternative Form of Notice filed by Black Hills Electric, LLC on February 27, 2020, is granted.

2. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS’ WEEKLY MEETING
March 4, 2020.**

(S E A L)



ATTEST: A TRUE COPY

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JEFFREY P. ACKERMANN

FRANCES A. KONCILJA

JOHN GAVAN

Commissioners