

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO**

PROCEEDING NO. 20AL-0229E

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IN THE MATTER OF ADVICE LETTER NO. 787 FILED BY BLACK HILLS COLORADO ELECTRIC, LLC TO DECREASE THE ENERGY COST ADJUSTMENT TO BECOME EFFECTIVE JULY 1, 2020.

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

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Mailed Date: June 4, 2020

Adopted Date: June 3, 2020

**I. BY THE COMMISSION**

**A. Statement, Findings, and Conclusions**

1. On May 29, 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. 787-Electric.

2. In the Motion, Black Hills states that through its Advice Letter No. 787-Electric, the Company seeks 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 states the ECA is applicable to all retail customers. Black Hills states the proposed tariff changes will decrease the ECA rate from \$0.03714 per kWh to \$0.03452 per kWh, beginning July 1, 2020.

3. By its Motion, Black Hills seeks Commission authorization to use the following alternative form notice for the amendments to its ECA:

- a. filing with the Commission, and keeping open for inspection, Advice Letter No. 787-Electric;

- b. posting on its website:<sup>1</sup> (1) the Customer Notice (Attachment 1 to the Notice); and (2) Advice Letter No. 787-Electric for 30 days;
- c. printing a message on each applicable customer's bill providing the website for the Customer Notice and Advice Letter and a toll-free phone number for assistance, beginning one week after the filing of the Advice Letter and running for one full billing cycle; and
- d. publishing a legal notice of the Advice Letter in three newspapers of general circulation for the service territory: 1) *The Pueblo Chieftain* (two consecutive Tuesdays, June 2nd and 9th); 2) the *Cañon City Daily Record* (two consecutive Fridays, June 5th and 12th); and 3) the *Rocky Ford Daily Gazette* (two consecutive Thursdays, June 4th and 11th).

4. In the Motion, Black Hills states that a mailed notice or a bill insert or message during the timelines prescribed in § 40-3-104(1)(c)(I), C.R.S., are not workable forms of notice for this Advice Letter. Black Hills explains these methods involve unwarranted "time and materials" expenses or they conflict with the Company's billing cycles. Black Hills states that sending an e-mail or text message is also not workable. Black Hills explains a vast number of its customers are not enrolled to receive alerts via e-mail or text.

5. Black Hills states that it believes the proposed alternative form of notice will provide notice to all customers in the service territory in an affordable and efficient manner. Black Hills states the proposed bill message does not conflict with its billing cycle and will provide customer visibility because it is presented on the first page of the bill, where the customer looks for the amount due and the payment deadline. Black Hills will add the toll-free phone number provided in the bill message and will give customers a second option to learn more about the tariff changes if they cannot access the Company's website. Black Hills concludes that the newspaper publications will ensure general notice to customers throughout the Company's service territory.

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<sup>1</sup> <http://www.blackhillenergy.com/rates/applications>.

6. Pursuant to § 40-3-104(1)(c)(I)(E), C.R.S., and Rule 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. 787-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 as requested by Black Hills.

## II. **ORDER**

### A. **It Is Ordered That:**

1. The request for alternative form of notice to apply to Advice Letter No. 787-Electric proposed in the Motion for Alternative Form of Notice filed by Black Hills Colorado Electric, LLC on May 29, 2020, is granted.
2. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
June 3, 2020.**

(S E A L)



ATTEST: A TRUE COPY



Doug Dean,  
Director

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

JEFFREY P. ACKERMANN

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JOHN GAVAN

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MEGAN M. GILMAN

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Commissioners