

Decision No. C20-0446-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 20A-0253G

IN THE MATTER OF THE VERIFIED APPLICATION OF BLACK HILLS COLORADO GAS, INC. D/B/A BLACK HILLS ENERGY FOR COMMISSION APPROVAL OF A REFUND PLAN AND REQUEST FOR SHORTENED NOTICE AND INTERVENTION PERIOD.

**INTERIM DECISION GRANTING REQUEST FOR
SHORTENED NOTICE AND INTERVENTION PERIOD**

Mailed Date: June 17, 2020
Adopted Date: June 17, 2020

TO THE PARTIES IN THIS MATTER AND ALL INTERESTED PERSONS, FIRMS,
OR CORPORATIONS:

I. BY THE COMMISSION

A. Statement

1. This Decision establishes a shortened notice and intervention period for the Application for Commission Approval of a Refund Plan (Application) filed on June 11, 2020 by Black Hills Colorado Gas, Inc. (Black Hills or Company).

2. Requests for intervention, including a notice of intervention by right of the Staff of the Colorado Public Utilities Commission (Staff), shall be filed by **June 22, 2020**.

B. Discussion

3. In its Application, Black Hills explains that in Proceeding No. 19AL-0075G, the Commission approved certain in a settlement agreement that resulted in the consolidation of seven Gas Cost Adjustment (GCA) areas into four GCA areas. Pursuant to the terms of the settlement, Black Hills agreed to make a filing providing an analysis of the impacts resulting

from the deferred balance consolidations to demonstrate that the effect of the deferred balances will cause no more than a two percent increase in total bill impact for residential customers at the time of the implementation. The Company also agreed to make filings to reduce the impacts that any deferred balance would have on customers as a result of the consolidation, and if the deferred balances would cause a two percent or greater total bill increase for customers, these balances would be credited back to customers in that original area as a one-time bill credit.

4. The Company states in the Application that as of the April 30, 2020, the deferred balance is over-recovered in every GCA area, therefore, the customers will not see an increase in GCA consolidation from deferred balances as addressed in the settlement. The Company instead proposes a significant one-time bill credit to refund to customers the over-recovery of its actual deferred balance as of April 30, 2020.

5. The estimated total refund, including interest, is approximately \$15.9 million. If approved by the Commission as proposed by the Company, the refund will be provided as a one-time bill credit to all gas customers as of July 1, 2020.

6. Black Hills concludes that: “In light of the fact that these are customer dollars that belong in the hands of customers and the current economic environment, the Company determined that a one-time bill credit would provide customers with assistance in the form of immediate economic relief.”¹

¹ Application, p. 4.

7. Black Hills requests expedited treatment including shortened notice and intervention period. The Company states that in order to begin making the refund commencing July 1, 2020, it needs Commission approval no later than June 26, 2020. Black Hills specifically requests that the notice and intervention period for the application be shortened to five days.

C. Findings and Conclusions

8. We find good cause to grant Black Hills' request for a shortened notice and intervention period. Requests for intervention, including a notice of intervention by right of Staff, shall be filed no later than **June 22, 2020**.

9. The Application is available for public inspection by accessing the Commission's E-Filing system at colorado.gov/dora/puc. **This Decision is the Commission's notice that the Application has been filed.**

II. ORDER

A. It Is Ordered That:

1. The request of Black Hills Colorado Gas, Inc. (Black Hills) for a shortened notice and intervention period for its Application for Commission Approval of a Refund Plan (Application) filed on June 11, 2020 is granted.

2. The notice and intervention period shall expire at 5:00 p.m. on **June 22, 2020**.

3. Any person desiring to intervene or participate as a party in this proceeding, including Staff of the Colorado Public Utilities Commission, shall file a petition for leave to intervene, or under the Commission's Rules of Practice and Procedure, file other appropriate pleadings to become a party, no later than **June 22, 2020**.

4. All persons who file an objection, notice of intervention as of right, motion to permissively intervene, or any other appropriate pleading shall do so in accordance with the instructions set forth in the Commission’s Rules of Practice and Procedure and this Decision.

5. The Commission may consider the Application without a hearing if no notice of intervention as of right or motion to permissively intervene is timely filed, or no notice of intervention as of right or motion to permissively intervene requests a hearing or contests or opposes the Application.

6. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS’ WEEKLY MEETING
June 17, 2020.**

(S E A L)



ATTEST: A TRUE COPY

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JEFFREY P. ACKERMANN

JOHN GAVAN

MEGAN M. GILMAN

Commissioners