

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

PROCEEDING NO. 20AL-0526E

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IN THE MATTER OF ADVICE LETTER NO. 798 FILED BY BLACK HILLS COLORADO ELECTRIC, LLC TO INCREASE THE ENERGY COST ADJUSTMENT TO BECOME EFFECTIVE JANUARY 1, 2021

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

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Mailed Date: December 7, 2020  
Adopted Date: December 2, 2020

**I. BY THE COMMISSION**

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

1. On November 30, 2020, pursuant to § 40-3-104(1)(c)(I)(E) C.R.S. and Commission Rule 4 Code of Colorado Regulations (CCR) 723-1207(b) of the Commission's Rules of Practice and Procedure, Black Hills Colorado Electric, LLC (Black Hills or Company), filed a Motion for Approval of Alternative Form of Notice (Motion) applicable to Advice Letter No. 798-Electric. By Advice Letter No. 798-Electric, Black Hills seeks to amend its Energy Cost Adjustment (ECA) calculation inputs, contained on Tariff Sheet No. 65 in the Rates section of its Colo. P.U.C. No. 11-Electric Tariff. The ECA is applicable to all retail customers

2. Black Hills states this Motion only pertains to a request for alternative form of notice for the Company's amendments to its Tariff to reflect the ECA revisions. On November 2, 2020, the Company filed proposed amendments to its Transmission Cost Adjustment (TCA) in Proceeding No. 20AL-0472E, and on November 16, 2020, in Proceeding No. 20AL-0512E, the Company filed proposed amendments to its Purchased Capacity Cost Adjustment (PCCA). Black Hills states that given the Company's requirement during the month of November to amend the

PCCA, ECA, and TCA, the Company is seeking approval in this Motion to provide alternative notice that reflects the filing of these three adjustments. According to the Company, The Commission approved this approach for the previous ECA filing in Decision No. C19-0999-I in Proceeding No. 19AL-0673E.

3. Black Hills seeks Commission approval to provide alternative form of notice of its proposed tariff amendment using the following forms of alternative notice:

a. Filing with the Commission, and keeping open for inspection, Advice Letter No. 798-Electric, which amends its ECA calculation inputs, on Tariff Sheet No. 65, in the Rates section of its Colo. P.U.C. No. 11-Electric Tariff. The Company will also post on its website at the time of filing: (1) a Customer Notice attached herewith as Attachment 1 – Customer Notice (“Customer Notice”) and (2) Advice Letter No. 798-Electric and its accompanying tariff sheet, for thirty (30) days. The website posting will include a reference to the applicable proceeding number. The applicable website address for the posting of Advice Letter No. 798-Electric, Attachment 1 – Customer Notice, and the accompanying tariff sheet is: <http://www.blackhillsenergy.com/rates/applications> The Customer Notice includes amendments and impacts of the TCA, PCCA, and ECA filings that will be or have been made in November 2020, so as to provide customers with complete and comprehensive notice of the changes Black Hills is proposing to their rates. As shown in the Customer Notice, the Customer Notice will explain each adjustment and overall bill impact to customers. Though Black Hills provides for Commission review the Customer Notice, it will not be posted until after the November 30, 2020 filing of the ECA. Black Hills proposed to post the Customer Notice after this date so that it will provide notice to customers of all of the rates changes associated with its TCA, PCCA, and ECA filings.

b. Printing a message on each applicable customer’s bill providing the website URL for the Customer Notice and Advice Letter No. 798-Electric and its accompanying tariff sheet, and a toll-free phone number for assistance, beginning with the December 2020 bill cycle, which will encompass the TCA filed on November 2, 2020, PCCA filed on November 16, 2020, and ECA amendments herein. Because the bill messages will begin after the filing of the ECA amendment, Black Hills will be able to provide its customer notice with an aggregated bill impact associated with the amendments to the TCA, PCCA, and ECA. The bill messages, by customer class, read as follows:

**Residential:**

We filed to amend our TCA, PCCA, and ECA rates to be effective January 1, 2021. If approved, an average monthly residential bill would increase \$2.82 from \$96.89 to \$99.71, or 2.91%. Call (888)-890-5554 or visit [blackhillsenergy.com/filings](http://blackhillsenergy.com/filings) for more details.

We filed to decrease our Energy Payment rate by 1.89 percent to \$0.02757 per kWh effective Jan 1. This rate represents the payment made to Net Metered customers for any excess energy production from their systems. Call 888-890-5554 or visit [www.blackhillsenergy.com/filings](http://www.blackhillsenergy.com/filings) for details.

**Small Commercial – Net Metering Customers:**

We filed to amend the TCA, PCCA, and ECA rates effective January 1, 2021. If approved, an average monthly commercial bill would increase \$10.72 from \$313.50 to \$324.22, or 3.42%. Call (888)-890-5554 or visit [blackhillsenergy.com/filings](http://blackhillsenergy.com/filings) for more details.

**Other Customers – Net Metering Customers:**

We filed to amend the TCA, PCCA, and ECA rates effective January 1, 2021. Customers can call (719)-561-8232 for information on how the proposed amendments may affect them. Customers can also visit [blackhillsenergy.com/filings](http://blackhillsenergy.com/filings) for more details.

c. Publishing a legal notice of the TCA, PCCA, and ECA Advice Letters following the ECA filing on November 30, 2020 (i.e., Attachment 1 – 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, December 8th and December 15th); and 2) the Cañon City Daily Record (two consecutive Fridays, December 11th and December 18th); and 3) the Rocky Ford Daily Gazette (two consecutive Thursdays, December 10th and December 17th). Given the number of rate adjustments in November 2020 and to avoid customer confusion, the Company is requesting to consolidate the three rates adjustments into one Customer Notice. Consolidating the rate adjustments into one Customer Notice will assist customers in understanding the full scope of impacts associated with the amendments to the TCA, PCCA, and ECA.

4. Black Hills maintains there is good cause for the alternative form of notice requested by this Motion. Black Hills notes the Company's bill message does not conflict with its billing cycle, and it provides visibility to the customer because it is presented on the first page of the bill, where the customer looks for dollar amount due and the payment deadline. Additionally,

the toll-free phone number provided in the bill message will give customers a second option to learn more about the new tariff if they cannot access the internet for the Company's website. Further, Black Hills states the newspaper publications will ensure general notice to customers throughout the Company's service territory and the alternative forms of notice are expeditious and economic for the Company's customers. Black Hills maintains these alternative forms of notice are expeditious and economic for the Company's customers.

5. Pursuant to § 40-3-104(1)(c)(I)(E), C.R.S., and 4 CCR 723-1-1207(b) a utility may request to provide an alternative form of notice of proposed tariff changes. We find that the alternative forms of notice Black Hills proposes in its Motion will provide sufficient notice to its customers regarding the amendments to its ECA calculation inputs and will do so efficiently. We therefore find good cause to approve the alternative forms of notice Black Hills 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 on November 30, 2020, is granted.
2. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
December 2, 2020.**

(S E A L)



ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Doug Dean".

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