

Decision No. C23-0673-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 23AL-0469G

IN THE MATTER OF COMPLIANCE ADVICE LETTER NO. 130 FILED BY COLORADO NATURAL GAS, INC. TO INCREASE THE ENERGY ASSISTANCE SYSTEM BENEFIT CHARGE, PER DECISION NO. C23-0619 IN PROCEEDING NO. 23M-0459EG, TO BECOME EFFECTIVE OCTOBER 1, 2023.

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

Mailed Date: October 9, 2023
Adopted Date: September 27, 2023

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On September 19, 2023, Colorado Natural Gas, Inc. (CNG or Company) filed a Motion for Approval of an Alternative Form of Notice (Motion) to apply to the Company's Advice Letter 130-Gas to increase the monthly bill charge termed the Gas Energy Assistance System Benefit Charge (EASBC) pursuant to Decision No. C23-0619, which authorized revisions of EASBC rates starting October 1, 2023. Through Advice Letter 130-Gas, CNG seeks approval of its new EASBC tariff sheets on less than statutory notice to take effect on October 1, 2023.

2. CNG moves pursuant to § 40-3-104(1)(c)(I)(E), C.R.S., and Rule 1207(b), 4 *Code of Colorado Regulations* (CCR) 723-1 of the Commission's Rules of Practice and Procedure, to provide alternative forms of notice for the Company's filing to its customers. The Company requests Commission approval to use the following forms of notice:

- Posting the legal notice on its public website pursuant to § 40-3-104(1)(c)(I), C.R.S.
- Providing a full page customer bill onsert to CNG's natural gas customers with all mailed and e-billed customer bills, which are expected to be mailed or e-billed during the regular billing cycle of October 2023 over approximately five weeks, and e-mailing the bill onsert to natural gas customers, including a copy of the legal notice, opt out instructions, and all required language set forth in HB21-1105 and § 40-8.7-104(2.5)(b)(1), C.R.S.
- Updating the Company's energy assistance resource webpage about the EASBC.
- Emailing the notice to those customers who have opted into receipt of email messages from the Company.

3. CNG states that because Decision No. C23-0619 was issued on September 15, 2023, the alternative forms of notice it requests are required in order to have the new EASBC charge in place by October 1, 2023. The Company explains that the proposed notice procedure is significantly less costly than the procedures prescribed by statute and will provide notice directly to customers. The Company concludes the proposed alternative forms of notice will be sufficient to alert affected and interested parties to the tariff changes the Company is proposing, including by providing notice of the estimated impact on average customers. The Company also states that it conferred with Commission Staff (Staff) and the Colorado Office of the Utility Consumer Advocate (UCA), and that Staff and UCA do not oppose the Motion.

4. Pursuant to § 40-3-104(1)(c)(I)(E), C.R.S., and 4 CCR 723-1-1207(b) of the Commission's Rules of Practice and Procedure, a utility may request to provide alternative forms of notice of a tariff change. We find the alternative forms of notice the Company proposes in the Motion will provide sufficient notice to its customers and will do so efficiently. We therefore find good cause to approve the alternative forms of notice that the Company requests.

II. ORDER

A. It Is Ordered That:

1. The Motion for Approval of Alternative Forms of Notice, filed by Colorado Natural Gas, Inc., on September 19, 2023, is granted.

2. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
September 27, 2023.**

(SEAL)



ATTEST: A TRUE COPY

Rebecca E. White,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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MEGAN M. GILMAN

TOM PLANT

Commissioners