

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 23AL-0097E

IN THE MATTER OF ADVICE LETTER NO. 841 FILED BY BLACK HILLS COLORADO ELECTRIC, LLC TO INCREASE THE ENERGY COST ADJUSTMENT RATE, TO BECOME EFFECTIVE APRIL 1, 2023.

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

Mailed Date: March 8, 2023

Adopted Date: March 8, 2023

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On February 28, 2023, Black Hills Colorado Electric, LLC (Black Hills or Company) filed a Motion for Approval of Alternative Forms of Notice (Motion) to apply to the Company's Advice Letter No. 841 – Electric, through which the Company seeks to amend its Energy Cost Adjustment (ECA) rate, contained 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 amendment will increase the ECA rate from \$0.06365 per kWh to \$0.06396 per kWh, beginning April 1, 2023.

2. Black Hills 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. Black Hills requests Commission approval to use the following forms of notice:

- Filing with the Commission, and keeping open for inspection, Advice Letter No. 841 – Electric. The Company will also post on its website at the time of filing: (1) a Customer Notice attached to the Motion, and (2) Advice Letter No. 841 - Electric and its accompanying tariff sheet, for 30 days. The website posting will include a reference to the proceeding number.
- Printing a message on each applicable customer’s bill providing the website URL for the Customer Notice and Advice Letter and its accompanying tariff sheet, and a toll-free phone number for assistance, beginning within one week of the filing of the Advice Letter.
- Publishing a legal notice of the Advice Letter 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, March 7 and March 14); and (2) the *Cañon City Daily Record* (two consecutive Fridays, March 10 and March 17); and (3) the *Rocky Ford Daily Gazette* (two consecutive Thursdays, March 9 and March 16).

3. Black Hills maintains that good cause exists for the Commission to approve the proposed alternative forms of notice and that it will avoid incurring the expenses that is entailed in other forms of statutory notice. 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.

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 Black Hills Colorado Electric, LLC on February 28, 2023, is granted.

2. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
March 8, 2023.**

(S E A L)



ATTEST: A TRUE COPY

G. Harris Adams,
Interim Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ERIC BLANK

MEGAN M. GILMAN

TOM PLANT

Commissioners