

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 23AL-0422E

IN THE MATTER OF ADVICE LETTER NO. 851 FILED BY BLACK HILLS COLORADO ELECTRIC, LLC DOING BUSINESS AS BLACK HILLS ENERGY TO DECREASE THE ENERGY COST ADJUSTMENT RATE, TO BECOME EFFECTIVE OCTOBER 1, 2023.

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

Mailed Date: September 15, 2023

Adopted Date: September 13, 2023

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On August 31, 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. 851 (Advice Letter), through which the Company seeks to change 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. The proposed tariff amendment will decrease the ECA rate from \$0.05158 per kWh to \$0.04987 per kWh, beginning October 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 the Advice Letter. The Company will also post on its website at the time of filing: (1) a Customer Notice attached to the Advice Letter (Customer Notice), and (2) the Advice Letter and its accompanying tariff sheets, for thirty (30) days beginning within one week after the filing of Advice Letter.
- Printing a message as described in the Motion on each applicable customer's bill providing the website URL for the Customer Notice and Advice Letter and its accompanying schedules, as well as a toll-free phone number for assistance, beginning within one week after the filing of the Advice Letter.
- Publishing the Customer Notice, with size dimensions of four columns width and 11 inches height, in: (1) *The Pueblo Chieftain* (two consecutive Tuesdays, September 5 and September 12); and (2) the *Cañon City Daily Record* (two consecutive Fridays, September 8 and September 15); and (3) the *Rocky Ford Daily Gazette* (two consecutive Thursdays, September 7 and September 14).

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 the 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 August 31, 2023, is granted.

2. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
September 13, 2023.**

(S E A L)



ATTEST: A TRUE COPY

Rebecca E. White,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ERIC BLANK

MEGAN M. GILMAN

Commissioners

COMMISSIONER TOM PLANT
ABSENT