

Decision No. C23-0234

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

PROCEEDING NO. 23L-0166G

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IN THE MATTER OF THE VERIFIED APPLICATION OF BLACK HILLS COLORADO GAS, INC. D/B/A BLACK HILLS ENERGY FOR AUTHORITY TO END THE EXTRAORDINARY GAS COST RECOVERY RIDER (EGCRR) FOR WESTERN SLOPE GCA REGION CUSTOMERS AS APPROVED IN DECISION NO. R22-0118 IN PROCEEDING NO. 21A-0196G TO BE EFFECTIVE APRIL 10, 2023, WITH LESS THAN STATUTORY NOTICE.

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**COMMISSION DECISION AUTHORIZING RETIREMENT  
OF RIDER ON LESS THAN STATUTORY NOTICE AND  
GRANTING MOTION**

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Mailed Date: April 5, 2023  
Adopted Date: April 5, 2023

**I. BY THE COMMISSION**

**A. Statements**

1. On April 4, 2023, Black Hills Colorado Gas, Inc. d/b/a Black Hills Energy (Black Hills or Company) filed an application requesting a Commission order authorizing it, without a formal hearing and on less-than-statutory notice, to place into effect on April 10, 2023, tariffs resulting in the retirement of its Extraordinary Gas Cost Recovery Rider now on file with the Commission. The application contains all materials required by the Commission's rules and is complete. As discussed further below, we grant Black Hills' motion for alternative form of notice, and this application.

**B. Discussion**

2. Black Hills' application for authority to decrease rates is made pursuant to § 40-3-104(2), C.R.S., and Rules 4 CCR 723-4-4002(a) and -4109(b)(II). The revised tariff sheets are attached to the application and affect Black Hills' customers in its Western Slope gas cost adjustment (GCA) region. The filing represents the sunset of the rider after one year, as was contemplated by the decision approving the rider in the first place.<sup>1</sup> As a result, residential customers will see roughly a ten percent decrease in their monthly bills.

3. Black Hills notes that good cause exists for the rider to be removed on less than statutory notice. In particular, Black Hills' points out that the decision approving the rider authorized it to amortize, over a one-year period, the collection of Winter Storm Uri costs. Now that the year is up, the costs have been collected (and any remaining balance may be recovered through the Gas Cost Adjustment). Accordingly, Black Hills filed this Application to ensure that customers do not continue to be charged Storm Uri costs through the rider.

4. Alongside the Application, Black Hills has filed a motion seeking approval to provide an alternative form of public notice for the Application. It proposes to print messages on residential customer bills informing them that they are no longer paying the rider, rather than undertaking the more costly notice procedures outlined in statute. It contends that the bill messages are less expensive, and that because the rider was approved only for one year, and is now sunseting, the bill message is sufficient.

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<sup>1</sup> Decision No. R22-0118 in Proceeding No. 21A-0196G, ¶ 57 & Ordering Paragraph 2.

**C. Conclusions and Findings**

5. We agree with Black Hills that good cause exists to provide an alternative form of notice for the Application. The proposed notice will provide the required information to its customers and do so at a lower cost than other forms of statutory notice, particularly given that the rider was designed to be in effect for one year.

6. We also find good cause to approve the request to retire the Extraordinary Gas Cost Recovery Rider for the reasons set forth in the Application. The rider was approved for Western Slope GCA customers for one year and it is now time for the company to remove the rider from its tariffs. Therefore, we authorize Black Hills to end the EGCR for its Western Slope GCA customers, as detailed in the tariff sheets contained in Attachment A to the Application and on less than statutory notice. The Company shall file revised tariff sheets implementing the required GCA rates on no less than one business days' notice.

**II. ORDER**

**A. The Commission Orders That:**

1. The Application filed by Black Hills Colorado Gas, Inc. d/b/a Black Hills Energy (Black Hills) on April 4, 2023, for an Order Authorizing it to end the extraordinary gas cost recovery rider for the western slope GCA region customers (Application) is deemed complete.

2. The Motion for Commission Approval of an Alternative Form of Notice filed on April 4, 2023, is granted.

3. The Application filed by Black Hills for authority to change tariffs on less than statutory notice is approved, consistent with the discussion above.

4. Black Hills is authorized to file, on not less than one business days' notice, and in

a new proceeding, a new advice letter and the tariffs attached as Attachment A to the Application. These tariffs shall be effective on or after April 10, 2023.

5. The 20-day period provided for in § 40-6-114, C.R.S., within which to file applications for rehearing, reargument, or reconsideration begins on the first day following the effective date of this Decision.

6. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
April 5, 2023.**

(S E A L)



ATTEST: A TRUE COPY

G. Harris Adams,  
Interim Director

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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Commissioners