

Decision No. C23-0786-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 23AL-0562E

IN THE MATTER OF ADVICE LETTER NO. 858 FILED BY BLACK HILLS COLORADO ELECTRIC, LLC DOING BUSINESS AS BLACK HILLS ENERGY TO AMEND THE PURCHASED CAPACITY COST ADJUSTMENT, TO BECOME EFFECTIVE JANUARY 1, 2024.

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

Mailed Date: November 28, 2023

Adopted Date: November 22, 2023

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On November 15, 2023, Black Hills Colorado Electric, LLC, doing business as Black Hills Energy (Black Hills or the Company) filed a Motion for Approval of Alternative Form of Notice (Motion) to apply to the Company's Advice Letter No. 858 – Electric, through which the Company proposes to amend its Purchased Capacity Cost Adjustment (PCCA) rates contained on Tariff Sheet Nos. 85 and 86 in the Rates section of its Colo. P.U.C. No. 11-Electric Tariff. Black Hills states the PCCA is applicable to all retail customers and is designed to recover the incremental cost of capacity purchased to supply electric service above the level of purchased capacity costs included in base rates.

2. Black Hills states the proposed tariff amendments will increase the PCCA from \$0.00175/kWh to \$0.00196/kWh for Residential and Energy Only customers, increase the PCCA rate from \$0.00149/kWh to \$0.00165/kWh for Small General Service customers, increase the

PCCA rate from \$0.41431/kW to \$0.45610/kW for Large General Service customers, and increase the PCCA rate from \$0.63463/kW to \$0.74256/kW for Large Power Service customers. Black Hills states the proposed tariff amendments will increase the annualized PCCA revenues by approximately \$325,870, beginning January 1, 2024

3. In the Motion, Black Hills states that although the Motion pertains to a request for alternative form of notice for the Company's amendments to its Colo. P.U.C. No. 11 – Electric Tariff to reflect the proposed PCCA revisions, the Company proposes a consolidated noticing of this and three other tariff changes. Black Hills explains that it anticipates soon filing a separate Advice Letter filings to amend portions of its Tariff concerning its Energy Cost Adjustment (ECA). Black Hills states it previously filed for approval to amend its Demand Side Management Cost Adjustment (DSMCA), and Transmission Cost Adjustment (TCA), to be effective January 1, 2024. Black Hills concludes, given the Company's requirement to revise its PCCA, ECA, DSMCA, and TCA, the Company is seeking approval in this Motion to provide alternative notice that reflects the filing of these four adjustments (although the Company will file separate motions in each advice letter proceeding).

4. 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 to its customers for the Company's filing. Black Hills requests the Commission approve the following forms of notice:

- a. Filing with the Commission and keeping open for inspection Advice Letter No. 858-Electric, in addition to posting on its website at the time of the filing: (1) the Customer Notice attached to the Motion as Attachment 1 (Customer Notice); and (2) Advice Letter No. 836-Electric and its accompanying tariff sheets, for

45 days. The Customer Notice will explain the amendments and impacts of the PCCA, ECA, TCA, and DSMCA filings;

- b. Printing a message on each applicable customer's bill providing the website URL for the Customer Notice, Advice Letter, accompanying tariff sheets, and a toll-free phone number for assistance, beginning with the December 2023 bill cycle; and
- c. Publishing a legal notice of the PCCA, ECA, TCA, and DSMCA Advice Letters following the ECA filing on November 30, 2023, in three newspapers of general circulation for the service territory: (1) *The Pueblo Chieftain* (two consecutive Tuesdays, December 5th and December 12th); and (2) the *Cañon City Daily Record* (two consecutive Fridays, December 8th and December 15th); and (3) the *Rocky Ford Daily Gazette* (two consecutive Thursdays, December 7th and December 14th).

5. Black Hills maintains that good cause exists for the Commission to approve the proposed alternative forms of notice. The Company represents the alternative forms of notice provide visibility to its customers, alternative options to learn more about the tariff changes, and ensure general notice to customers throughout the Company's service territory in an expeditious and economic manner.

6. 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 Form of Notice, filed by Black Hills Colorado Electric, LLC on November 15, 2023, is granted.

2. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
November 22, 2023.**

(S E A L)



ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Rebecca E. White".

Rebecca E. White,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ERIC BLANK

MEGAN M. GILMAN

TOM PLANT

Commissioners