

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 23AL-0563E

IN THE MATTER OF ADVICE LETTER NO. 859 FILED BY BLACK HILLS COLORADO ELECTRIC, LLC DOING BUSINESS AS BLACK HILLS ENERGY TO AMEND THE TARIFF APPLICABLE TO COMMUNITY SOLAR GARDENS FIXED BILL CREDITS AND THEIR SUBSCRIBERS, 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 Forms of Notice (Motion) to apply to the Company's Advice Letter No. 859 – Electric, through which the Company proposes to amend Community Solar Gardens (CSG) Fixed Bill Credits on Tariff Sheet 94I in the Rates section of its Colo. P.U.C. No. 11 – Electric Tariff. Black Hills states the CSG Fixed Bill Credits are proposed for the next annual period beginning on January 1, 2024.

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 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. 859- Electric, which amends CSG Fixed Bill Credits on Tariff Sheet No. 94I in the Rates section of its Colo. P.U.C. No. 11-Electric Tariff. The Company will also post on its website at the time of filing: (1) a Customer Notice attached to the Motion as Attachment 1 and (2) Advice Letter No. 859-Electric and its accompanying tariff sheet, for at least sixty (60) days;
- b. Printing a message on each customer's bill providing the website URL for the Customer Notice and Advice Letter No. 859-Electric and its accompanying tariff sheet, and a toll-free phone number for assistance, beginning within one week after the filing of Advice Letter No. 859-Electric; and
- c. Publishing a legal notice of Advice Letter No. 859-Electric (attached to the Motion as Attachment 1), 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, November 21 and 28, 2023); and, 2) the *Cañon City Daily Record*; and, 3) the *Rocky Ford Daily Gazette*).

3. 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.

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 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.**

(SEAL)



ATTEST: A TRUE COPY

Rebecca E. White,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ERIC BLANK

MEGAN M. GILMAN

TOM PLANT

Commissioners