

Decision No. C23-0348-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 23AL-0240E

IN THE MATTER OF ADVICE LETTER NO. 846 FILED BY BLACK HILLS COLORADO ELECTRIC, LLC DOING BUSINESS AS BLACK HILLS ENERGY TO DECREASE THE DEMAND – SIDE MANAGEMENT COST ADJUSTMENT, TO BECOME EFFECTIVE JULY 1, 2023.

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

Mailed Date: June 15, 2023
Adopted Date: May 24, 2023

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On May 15, 2023, Black Hills Colorado Electric, LLC (Black Hills or Company) filed this Motion for Approval of Alternative Form of Notice (Motion) to apply to the Company's Advice Letter No. 846-Electric and tariff filing to amend the Demand Side Management Cost Adjustment (DSMCA) calculation inputs, contained on Tariff Sheet No. 71 in the Company's Colo. P.U.C. No. 11-Electric Tariff.

2. Black Hills states the DSMCA is applicable to all retail customers. Black Hills states the proposed tariff amendment would decrease the DSMCA rate from 2.43 percent to 2.10 percent, beginning July 1, 2023.

3. Black Hills seeks authority under § 40-3-104(1)(c)(I)(E), C.R.S., to provide alternative forms of notice of the proposed amendment to its DSMCA rate, outlined below. The

Company believes it will be able to reach all customers in the service territory in an affordable and efficient manner through these alternative forms of notice.

4. In addition to posting the customer notice (included as Attachment 1 to the Motion) on its website as mandated by § 40-3-104(1)(c)(I), C.R.S., Black Hills seeks approval to use the following alternative forms of notice:

- a. Posting Advice Letter No. 846-Electic on the Company's website for 30 days along with a reference to this proceeding number;
- b. Printing one of three applicable customer class messages (provided in the Motion)¹ on each applicable customer's bill as well as providing the website URL for the customer notice and Advice Letter No. 846-Electric and its accompanying tariff sheet, and a toll-free phone number for assistance, running for one full billing cycle; and
- c. Publishing a legal notice in *The Pueblo Chieftain* for two consecutive Tuesdays, May 23 and May 30; the *Cañon City Daily Record* for two consecutive Fridays, May 19 and May 26; and the *Rocky Ford Daily Gazette* for two consecutive Thursdays, May 18 and May 25.

5. Black Hills maintains good cause exists to approve the alternative form of notice. The Company represents the on-bill messages do not conflict with its billing cycle and provide visibility to the customer due to location on the first page of the bill, and the provided toll-free number gives customers a different option to learn more about the amended tariff if access to the Company's website is an issue for them. The Company asserts the newspaper notices will ensure general notice to customers throughout the Company's service territory. Black Hills concludes that the proposed alternative notices are expeditious and economic for the Company's customers.

6. Pursuant to § 40-3-104(1)(c)(I)(E), C.R.S., and Rule 1207(b), 4 *Code of Colorado Regulations* 723-1 of the Commission's Rules of Practice and Procedure, a utility may request to

¹ We note that the bill message for "Other Customers" includes a typo; it indicates that the revision will result in an increase of \$0.7 million in annualized revenue, whereas the messages to other customer classes indicate the DSMCA decrease would result in a decrease of \$0.7 million in annualized revenue.

provide an alternative form of notice of proposed tariff changes. We find the alternative forms of notice Black Hills proposes in its 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 Black Hills 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 May 15, 2023, is granted.

2. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
May 24, 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

TOM PLANT

Commissioners