

Decision No. C23-0396-I

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

PROCEEDING NO. 23AL-0281E

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IN THE MATTER OF ADVICE LETTER NO. 848 OF BLACK HILLS COLORADO ELECTRIC, LLC DOING BUSINESS AS BLACK HILLS ENERGY TO DECREASE THE ENERGY COST ADJUSTMENT RATE, TO BECOME EFFECTIVE JULY 1, 2023.

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

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Mailed Date: June 12, 2023

Adopted Date: June 7, 2023

**I. BY THE COMMISSION**

**A. Statement, Findings, and Conclusions**

1. On May 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. 848– Electric (Advice Letter), through which the Company seeks to amend its Energy Cost Adjustment (ECA) rate found on Tariff Sheet No. 65 in its Rates section of its Colorado P.U.C. No. 11-Electric Tariff. The proposed tariff amendment will decrease the ECA rate from \$0.06028 per kWh to \$0.05158 per kWh, beginning July 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 this Motion as Attachment 1 (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 tariff sheet, and a toll-free phone number for assistance, beginning within one week of the filing of the Advice Letter.
- Publishing the Customer Notice, 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, June 6 and June 13); and 2) the *Cañon City Daily Record* (two consecutive Fridays, June 9 and June 16); and 3) the *Rocky Ford Daily Gazette* (two consecutive Thursdays, June 8 and June 15).

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 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 May 31, 2023, is granted.

2. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
June 7, 2023.**

(S E A L)



ATTEST: A TRUE COPY

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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Commissioners

Rebecca E. White,  
Director

COMMISSIONER MEGAN M. GILMAN  
ABSENT