

Decision No. R23-0290-I

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

PROCEEDING NO. 23M-0010EG

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IN THE MATTER OF THE FILING OF 2022 ANNUAL REPORTS IN ACCORDANCE WITH RULES 4 CCR 723-3-3006 AND 4 CCR 723-4-4006 BY UTILITIES HOLDING A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE ENERGY SERVICES IN THE STATE OF COLORADO.

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**INTERIM DECISION OF  
ADMINISTRATIVE LAW JUDGE  
ALENKA HAN  
GRANTING BLACK HILLS COLORADO GAS, INC. AND  
ROCKY MOUNTAIN NATURAL GAS, LLC'S JOINT  
MOTION FOR ONE-TIME-VARIANCE,  
AND EXPEDITED TREATMENT**

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Mailed Date: May 2, 2023

**I. STATEMENT**

1. On January 3, 2023, the Colorado Public Utilities Commission (Commission) opened the above-captioned proceeding as a repository proceeding for the filing of the 2022 annual reports by utilities holding a certificate of public convenience and necessity to provide energy services in the State of Colorado.

2. On January 25, 2023, the Commission referred this proceeding to an Administrative Law Judge (ALJ) by minute entry, for the disposition of all pleadings and motions filed in this proceeding.

3. On February 13, 2023, the Commission noticed the above-captioned proceeding and sent a letter bearing Interim Director G. Harris Adams' signature regarding the filing of 2022 annual reports.

4. On April 27, 2023, Black Hills Colorado Gas, Inc., doing business as Black Hills Energy (BHCG) and Rocky Mountain Natural Gas LLC, doing business as Black Hills Energy (RMNG) filed their Joint Motion of Black Hills Colorado Gas, Inc., and Rocky Mountain Natural Gas, LLC For a One-Time Variance and Expedited Treatment (Motion). The variance BHCG and RMNG are seeking is additional time (14 days) for the submission of their annual reports because they will not be able to have their Annual Report filing packages completed by April 30, due to staffing shortages.

5. Pursuant to Rule 4006 of the Commission's Rules Regulating Gas Utilities and Pipeline Operators, 4 *Code of Colorado Regulations* 723-4, a natural gas utility shall submit its annual reports on or before April 30 of each year.

6. In accordance with Rule 4006(a), an extension of time to file the annual report does not affect the requirement that utilities file the report of gross regulated intrastate operating revenues required by the Colorado Department of Revenue (Form DR 0525). The time for filing the required Form DR 0525 cannot be extended.

7. The Motion filed by BHCG and RMNG states good cause for an extension of time. Granting the Motion will not prejudice any party. The ALJ will grant the Motion. The date by which BHCG and RMNG must file their respective 2022 annual reports with the Commission will be extended to and including May 14, 2023.

8. Given the nature of the Motion, no party will be prejudiced if response time is waived.

**II. ORDER**

**A. It Is Ordered That:**

1. The Joint Motion of Black Hills Colorado Gas, Inc. and Rocky Mountain Natural Gas, LLC for a One-Time Variance and Expedited Treatment filed by Black Hills Colorado Gas, Inc., doing business as Black Hills Energy (BHCG) and Rocky Mountain Natural Gas LLC, doing business as Black Hills Energy (RMNG) on April 27, 2023, is granted.

2. The extension of time granted does not affect the deadline for filing a copy of the Form DR 0525 to be filed with the Colorado Department of Revenue.

3. Response time to the above-identified Motion is waived.

4. On or before May 14, 2023, BHCG and RMNG must file with the Commission, their 2022 annual reports pursuant to Rule 4006 of the Commission's Rules Regulating Gas Utilities and Pipeline Operators, 4 *Code of Colorado Regulations* 723-4.

5. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

ALENKA HAN

Administrative Law Judge

ATTEST: A TRUE COPY

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

Rebecca E. White,  
Director