

Decision No. C24-0176-I

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

PROCEEDING NO. 24AL-0099E

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IN THE MATTER OF ADVICE LETTER NO. 863 FILED BY BLACK HILLS COLORADO ELECTRIC, LLC DOING BUSINESS AS BLACK HILLS ENERGY TO DECREASE THE ENERGY COST ADJUSTMENT RATE, TO BECOME EFFECTIVE APRIL 1, 2024.

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

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Mailed Date: March 20, 2024

Adopted Date: March 6, 2024

**I. BY THE COMMISSION**

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

1. On February 28, 2024, Black Hills Colorado Electric, LLC doing business as Black Hills Energy (Black Hills or Company) filed a Motion for Approval of Alternative Forms of Notice (Motion) to apply to the Company's Advice Letter No. 863 – Electric, through which the Company seeks to change its Energy Cost Adjustment (ECA) rate, contained on Tariff Sheet No. 65 in the Rates section of its Colo. P.U.C. No. 11-Electric Tariff. Black Hills states the ECA is applicable to all retail customers. The proposed tariff amendment will decrease the ECA rate from \$0.04559 per kWh to \$0.04308 per kWh, beginning April 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 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 the Advice Letter (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 schedules, as well as a toll-free phone number for assistance, beginning within one week after the filing of the Advice Letter.
- Publishing the Customer Notice, with size dimensions of four columns width and 11 inches height, in: (1) *The Pueblo Chieftain* (two consecutive Tuesdays, March 12 and March 19); and (2) the *Cañon City Daily Record* (two consecutive Fridays, March 9 and March 16); and (3) the *Rocky Ford Daily Gazette* (two consecutive Thursdays, March 8 and March 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 the 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 Form of Notice, filed by Black Hills Colorado Electric, LLC doing business as Black Hills Energy, on February 28, 2024, is granted.

2. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
March 6, 2024.**

(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

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MEGAN M. GILMAN

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Commissioners