

Decision No. C24-0485

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 22AL-0426G

IN THE MATTER OF ADVICE LETTER NO. 126 FILED BY ROCKY MOUNTAIN NATURAL GAS LLC DOING BUSINESS AS BLACK HILLS ENERGY TO REVISE ITS COLORADO PUC NO. 4 TARIFF FOR AN INCREASE IN RATES AND TO IMPLEMENT OTHER PROPOSED CHANGES, TO BECOME EFFECTIVE NOVEMBER 7, 2022.

**COMMISSION DECISION GRANTING MOTION
AND EXTENDING DEADLINES FOR THE
FILING OF REPORTS**

Issued Date: July 9, 2024

Adopted Date: July 3, 2024

I. BY THE COMMISSION

A. Statement

1. On July 1, 2024, Rocky Mountain Natural Gas LLC (“RMNG”) filed a Motion seeking additional time to file two reports it agreed to complete and submit in this Proceeding pursuant to the Settlement Agreement approved by the Commission through Decision Nos. R23-0336 and C23-0456.

2. Consistent with the discussion below, the Commission grants the Motion and extends the deadlines for the filing of the reports.

B. Background

3. On October 7, 2022, RMNG filed Advice Letter No. 126 initiating a rate proceeding.

4. On April 7, 2023, RMNG filed a Joint Motion to Approve a Settlement Agreement reached by RMNG, Staff of the Colorado Public Utilities Commission (“Staff”), and A M Gas Transfer Corporation resolving their disputed issues in this Proceeding.

5. As relevant to the instant motion, RMNG agreed to conduct an engineering study to assess capacity storage expansion opportunities, the findings of which would be reported to the Commission within twelve months of a final Commission decision in this Proceeding. RMNG also agreed to study the options associated with certain gathering assets for future consideration and to work with Staff on the specific contents of the analysis. Specifically, RMNG agreed to analyze options for the future operation of its Rifle Processing Plant and to reach out to Public Service Company of Colorado (“Public Service”), which jointly owns the plant with RMNG, to discuss long-term plans associated with additional investments at the plant. The agreed upon deadline for the filing of the reports was one year following the Commission’s final decision addressing RMNG’s Advice Letter No. 126 rate case filing.

6. Through Decision No. R23-0336, issued on May 30, 2023, Administrative Law Judge (“ALJ”) Alenka Han approved the Settlement Agreement.

7. Through Decision No. C23-0456, issued on July 12, 2023, the Commission denied the exceptions to the ALJ’s recommended decision filed by the Office of the Utility Consumer Advocate and adopted the recommended decision with one modification unrelated to the studies. Based on the July 12, 2023, mailed date of that decision, the two reports addressed in the settlement agreement are due to be filed no later than July 12, 2024.

C. Unopposed Motion for a Temporary Waiver of Requirement to File Reports

8. In its motion filed on July 1, 2024, RMNG requests that the Commission grant a temporary waiver from the directive in Decision No. R23-0336 to file the two reports no later than July 12, 2024.

9. RMNG explains in the motion that it has engaged a third-party consultant to perform an analysis on the capacity and storage opportunities at the Wolf Creek Storage Facility but that additional time is necessary for the consultant to fully evaluate the capacity storage expansion opportunities and to finalize a report detailing the findings.

10. RMNG further states that it is continuing to evaluate various options associated with its gathering assets, including selling to a third party, spinning off the assets to a non-regulated entity, retiring and abandoning the assets, and retaining the assets for continued operations. Additionally, discussions continue with the Public Service to address long-term plans associated with additional investments.

11. RMNG requests that it be permitted to file the Wolf Creek Storage Facility Report on or before August 30, 2024, and the Gas Gathering Assets and Rifle Processing Plant Report on or before November 15, 2024.

12. RMNG reports that the motion is unopposed and requests the Commission waive response time.

D. Findings and Conclusions

13. We find good cause to grant the motion and waive response time.

14. RMNG shall file the Wolf Creek Storage Facility Report no later than August 30, 2024, and the Gas Gathering Assets and Rifle Processing Plant Report no later than November 15, 2024.

II. ORDER

A. The Commission Orders That:

1. The Unopposed Motion for a Temporary Waiver of Requirement to File Reports filed by Rocky Mountain Natural Gas LLC on July 1, 2024, is granted, consistent with the discussion above.

2. The 20-day time period provided by § 40-6-114, C.R.S., to file an application for rehearing, reargument, or reconsideration shall begin on the first day after the effective date of this Decision.

3. This Decision is effective upon its Issued Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
July 3, 2024.**

(SEAL)



ATTEST: A TRUE COPY

Rebecca E. White,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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MEGAN M. GILMAN

TOM PLANT

Commissioners