

Decision No. C24-0922-I

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

PROCEEDING NO. 24AL-0523E

---

IN THE MATTER OF ADVICE LETTER NO. 880 FILED BY BLACK HILLS COLORADO ELECTRIC, LLC DOING BUSINESS AS BLACK HILLS ENERGY TO DECREASE THE ENERGY PAYMENT RATE, TO BECOME EFFECTIVE JANUARY 1, 2025.

---

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

---

---

Issued Date: December 19, 2024

Adopted Date: December 4, 2024

**I. BY THE COMMISSION**

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

1. On November 27, 2024, Black Hills Colorado Electric, LLC (“Black Hills” or the “Company”) filed a Motion for Approval of Alternative Forms of Notice (“Motion”) to apply to Advice Letter No. 880-Electric. By Advice Letter No. 880-Electric, Black Hills seeks to amend its Energy Payment rate contained on Tariff Sheet No. R36 in the Rules section of its Colo. P.U.C. No. 11-Electric Tariff, effective January 1, 2025. The Energy Payment rate is the payment that the Company makes to its net metering customers for excess energy produced from their systems unless they have elected to roll-over excess kWh to the next year.

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 public inspection Advice Letter No. 880-Electric;
- Posting on its website: (1) a Customer Notice and (2) Advice Letter No. 880-Electric and its accompanying tariff sheet, for thirty (30) days;
- Printing a message on each applicable customer's bill providing the website URL for the Customer Notice and Advice Letter No. 880-Electric and its accompanying tariff sheet, as well as a toll-free phone number for assistance, beginning within one week after the filing of Advice Letter No. 880-Electric; and
- Publishing a legal notice in three newspapers of general circulation, *The Pueblo Chieftain*, the *Cañon City Daily Record*, and the *Rocky Ford Daily Gazette*, on two occasions each.

3. Black Hills maintains that good cause exists for the Commission to approve the proposed alternative forms of notice and that it will provide notice in a manner that is expeditious and economic for the Company's customers. 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 general notice to customers throughout the Company's service territory.

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 November 27, 2024, is granted.

2. This Decision is effective upon its Issued Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
December 4, 2024.**

(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