

Decision No. R25-0745-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 25A-0176G

IN THE MATTER OF THE VERIFIED APPLICATION OF BLACK HILLS COLORADO GAS, INC. FOR APPROVAL OF A NATURAL GAS DEMAND SIDE MANAGEMENT PLAN AND STRATEGIC ISSUES FOR CALENDAR YEARS 2026 AND 2027.

**INTERIM DECISION GRANTING REQUESTS
TO MODIFY THE PROCEDURAL SCHEDULE, VACATE
THE HYBRID HEARING, AND VACATING HYBRID
HEARING**

Issued Date: October 15, 2025

I. STATEMENT

A. Relevant Procedural Background

1. On April 25, 2025, Black Hills Colorado Gas, Inc. d/b/a Black Hills Energy (“Black Hills”) filed an Application with the Colorado Public Utilities Commission for approval for a natural gas energy efficiency or demand side management (“DSM”) and strategic issues (“SI”) plan for calendar years 2026-2027. In support of its Application, Black Hills filed Direct Testimony and accompanying attachments of three witnesses.

2. The Commission issued a Notice of Application Filed on May 1, 2025 that set a 30-day intervention period.

3. On May 19, 2025, May 30, 2025, and June 2, 2025, the Colorado Office of the Utility Consumer Advocate, the Colorado Energy Office, and Trial Staff of the Commission filed Notices Of Intervention By Right, respectively.

4. On June 2, 2025, Energy Outreach Colorado (“EOC”) filed an Unopposed Motion To Permissively Intervene in this Proceeding (“Motion to Intervene”).

5. On June 11, 2025, the Commission deemed the Application complete and referred the proceeding to an Administrative Law Judge (“ALJ”) by minute entry. The proceeding was subsequently assigned to the undersigned ALJ.

6. On June 24, 2025, the ALJ issued Decision No. R25-0478-I that scheduled a remote prehearing conference for July 8, 2025, and required the parties to confer about a procedural schedule and Black Hills to file a report of the conferral by July 3, 2025.

7. On July 3, 2025, Black Hills filed the Conferral Report stating that the parties had agreed to the following procedural schedule (“Consensus Schedule”):

<u>Event</u>	<u>Deadline</u>
Answer Testimony	August 18, 2025
Rebuttal/Cross-Answer Testimony	September 19, 2025
Prehearing Motions	September 26, 2025
Settlement Agreement(s) Stipulations	October 2, 2025
Settlement/Stipulation Testimony	October 7, 2025
Corrections to Pre-Filed Testimony & Exhibits Cross-Examination Matrix	October 9, 2025
Hybrid Hearing	October 14-15, 2025
Statements of Position	November 6, 2025

Black Hills also reported that the parties agree that: (a) Commission Rule 1405 will govern discovery; and (b) the hearing should be conducted as a hybrid hearing.

8. On July 8, 2025, the ALJ issued Decision No. R25-0507-I that adopted the Consensus Schedule with the addition of a deadline for Black Hills to file a Notice identifying the parties and witnesses who will participate in the hearing in-person or remotely.

9. On October 3, 2025, the parties informed the ALJ by email that they had reached a settlement in principle and would file the settlement agreement and a Motion to Approve the Settlement Agreement as soon as possible.

10. On October 7, 2025, the parties filed a Joint Motion to Approve the Unanimous Settlement Agreement, to Modify Procedural Schedule, Notice of Remote Hearing, and for Waiver of Response Time (“Joint Motion”) and the Unanimous Settlement Agreement. The Joint Motion requests that the adopted Consensus Schedule be modified so that the deadlines for the filing of settlement agreements and settlement testimony be October 7 and 8, 2025, respectively. The Joint Motion also asks that the hybrid hearing be vacated unless it is determined that a settlement hearing is necessary, in which case the parties request that it be held on October 14, 2025 as a remote hearing.

11. On October 8, 2025, the parties filed written testimony in support of the Settlement Agreement.

B. Request to Modify Procedural Schedule

12. The ALJ finds good cause to modify the procedural schedule. Accordingly, the procedural schedule will be modified as requested.

C. Request to Vacate Hearing

13. The ALJ finds that a settlement hearing is unnecessary. As a result, there is good cause to grant the request to vacate the hybrid hearing scheduled for October 14-15, 2025.

II. ORDER**A. It Is Ordered That:**

1. For the reasons stated above, the requests to modify the procedural schedule and vacate the hybrid hearing in the Joint Motion to Approve the Unanimous Settlement Agreement, to Modify Procedural Schedule, Notice of Remote Hearing, and for Waiver of Response Time are granted.
2. The deadlines to file settlement agreements and settlement testimony are revised to October 7 and 8, 2025, respectively.
3. The hybrid hearing scheduled for October 14-15, 2025 is vacated.
4. This Decision is effective immediately.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

CONOR F. FARLEY

Administrative Law Judge

ATTEST: A TRUE COPY

Rebecca E. White,
Director