

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 19AL-0473E

IN THE MATTER OF ADVICE LETTER NO. 775 FILED BY BLACK HILLS COLORADO ELECTRIC, LLC TO DECREASE THE ENERGY COST ADJUSTMENT (ECA) TO BECOME EFFECTIVE OCTOBER 1, 2019.

**INTERIM DECISION GRANTING MOTION FOR
ALTERNATIVE FORM OF NOTICE**

Mailed Date: September 18, 2019
Adopted Date: September 4, 2019

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On August 30, 2019, Black Hills Colorado Electric, LLC (Black Hills or Company) filed a Motion for Approval of Alternative Form of Notice (Motion) that will apply to Advice Letter No. 775-Electric. Through Advice Letter No. 775-Electric, Black Hills seeks to amend its Energy Cost Adjustment (ECA) calculation inputs, on Tariff Sheet No. 65, in the Rates section of its Colo. P.U.C. No. 10-Electric Tariff. Black Hills states that the proposed tariff amendments would decrease the ECA rate from \$0.04099 per kWh to \$0.03913 per kWh, beginning October 1, 2019.

2. By its Motion, the Company seeks authorization to use the following alternative forms of notice:

(a) Filing with the Commission, and keeping open for inspection Advice Letter No. 775-Electric;

(b) Posting the customer notice attached as Attachment 1 to the Motion and Advice Letter No. 775-Electric and its accompanying tariff sheet to Black Hills Energy's website for 30 days beginning within one week after the filing of Advice Letter No. 775-Electric;

(c) Printing a message on each applicable customer's bill providing the website URL for the Customer Notice and Advice Letter No. 775-Electric and its accompanying tariff sheets, and a toll-free phone number for assistance, beginning within one week after the filing of the filing of Advice Letter No. 775-Electric; and

(d) Publishing a legal notice of Advice Letter No. 775-Electric in three newspapers of general circulation for the service territory.

3. The Company presents that the available alternative forms of notice allowable pursuant to § 40-3-104(1)(c)(I), C.R.S., either involve unwarranted "time and materials" expenses, or conflict with the Company's billing cycles. In addition, the Company states that at this time, a vast number of the Company's customers are not enrolled to receive alerts via email or text, which is also permitted by the statute. Therefore, in order to inform its customers regarding the rate change, the Company requests that it be permitted to use the forms of notice described above.

4. The Company states good cause exists for the alternative form of notice. The Company contends a bill message does not conflict with its billing cycle, and it provides visibility to the customer because it is presented on the first page of the bill. Further, the Company states the toll-free number will give customers a second option to learn more about the amended tariff if they cannot access the internet for the Company's website. Finally, the Company contends the newspaper publication will provide accessible and timely notice across the Company's entire service territory.

5. We find the alternative form of notice proposed by the Company is reasonable with respect to the Company's stakeholders and its general body of retail gas customers. We therefore find good cause to grant the alternative form of notice as requested by the Company.

II. ORDER

A. It Is Ordered That:

1. The Motion for Approval of Alternative Form of Notice filed on August 30, 2019, by Black Hills Colorado Electric, LLC, requesting approval of an alternative form of notice to apply to its Advice Letter No. 775-Electric, is granted.

2. This Decision is effective on its Mailed Date.

B. **ADOPTED IN COMMISSIONERS' WEEKLY MEETING September 4, 2019.**

(S E A L)



ATTEST: A TRUE COPY

Doug Dean

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JEFFREY P. ACKERMANN

FRANCES A. KONCILJA

JOHN GAVAN

Commissioners