

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 19AL-0603G

IN THE MATTER OF ADVICE LETTER NO. 316, FILED BY BLACK HILLS COLORADO GAS, INC. TO PLACE INTO EFFECT TARIFF SHEET CHANGES TO BE EFFECTIVE DECEMBER 1, 2019.

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

Mailed Date: November 22, 2019
Adopted Date: November 6, 2019

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On October 31, 2019, Black Hills Colorado Gas, Inc., doing business as Black Hills Energy (Black Hills or Company) filed a Motion for Approval of Alternative Form of Notice (Motion) that will apply to Advice Letter No. 316. Through Advice Letter No. 316, Black Hills seeks to amend the tariffs for the Black Hills Energy Assistance Program, the Company's low-income energy assistance program in its Colo. P.U.C. No. 7-Gas Tariff. Black Hills states that the proposed tariff amendments would incorporate language to implement automatic enrollment effective December 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. 316;

(b) posting Advice Letter No. 316 and all attachments to the Company's website for 60 days beginning within 1 week after the filing of Advice Letter No. 316;

(c) printing a message on each applicable customer's bill providing information regarding the tariff amendments, the website URL for the Customer Notice and Advice Letter No. 316 and its accompanying attachments, and a toll-free number for assistance, beginning within one week after the filing of Advice Letter No. 316; and

(d) publishing the Customer Notice attached to the filing one time in *The Denver Post*, a newspaper of general circulation for the service territory.

3. Black Hills requests the alternative form of notice to avoid "time and materials" expense for printing customer bill inserts.

4. Black Hills asserts that good cause exists for the alternative form of notice. The Company states that the bill message provides visibility to the customer because it is presented on the first page of the bill, that the website posting provides the required information to the general public, and the toll-free phone number in bill messages will give customers a second option to learn more about the amended tariff if they cannot access the internet. Further, the Company contends the newspaper publication will provide accessible and timely notice across the Company's entire service territory.

5. Pursuant to § 40-3-104(1)(c)(I)(E), C.R.S., and 4 *Code of Colorado Regulations* 723-1-1207(b) of the Commission's Rules of Practice and Procedure, a utility may request to provide an alternative form of notice of proposed tariff changes.¹ 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 gas ratepayers. We therefore find good cause to grant the alternative form of notice as requested by the Company.

¹ In its Motion, Black Hills cites to an outdated provision of the statute. The Commission reminds the Company that Senate Bill 19-236 revised § 40-3-104(1)(c), C.R.S., including changing which subsection allows alternative forms of notice.

II. ORDER

A. It Is Ordered That:

1. The Motion for Approval of Alternative Form of Notice filed on October 31, 2019, by Black Hills Colorado Gas, Inc., doing business as Black Hills Energy requesting approval of an alternative form of notice to apply to its Advice Letter No. 316, is granted.

2. This Decision is effective on its Mailed Date.

B. **ADOPTED IN COMMISSIONERS' WEEKLY MEETING November 6, 2019.**

(S E A L)



ATTEST: A TRUE COPY

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JEFFREY P. ACKERMANN

FRANCES A. KONCILJA

JOHN GAVAN

Commissioners