

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

PROCEEDING NO. 20AL-0479E

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IN THE MATTER OF ADVICE LETTER NO. 793 FILED BY BLACK HILLS COLORADO ELECTRIC, LLC DOING BUSINESS AS BLACK HILLS ENERGY TO ESTABLISH A NEW OPTIONAL AUTOMATED THROW OVER ("ATO") DUAL FEEDER SERVICE TARIFF TO BECOME EFFECTIVE DECEMBER 8, 2020.

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

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Mailed Date: December 1, 2020  
Adopted Date: November 12, 2020

**I. BY THE COMMISSION**

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

1. On November 6, 2020, pursuant to § 40-3-104(1)(c)(I)(E) C.R.S. and Commission Rule 4 *Code of Colorado Regulations* (CCR) 723-1207(b) of the Commission's Rules of Practice and Procedure, Black Hills Colorado Electric, LLC (Black Hills or Company), filed a Motion for Approval of Alternative Form of Notice (Motion) applicable to Advice Letter No. 793-Electric. By Advice Letter No. 793-Electric, Black Hills seeks to establish new tariffs for optional ATO Dual Feeder Service, on Original Tariff Sheet Nos. 107, 107A, 107B, in the Rates section of its Colo. P.U.C. No. 11-Electric Tariff. ATO Dual Feeder Service is available to non-residential, demand-metered customers, except Lighting and Irrigation Pumping classifications and certain

2. Black Hills seeks Commission approval to provide alternative form of notice of its proposed tariff amendment using the following forms of alternative notice:

a. Filing with the Commission, and keeping open for inspection, Advice Letter No. 793-Electric, which establishes new, optional ATO Dual Feeder Service, on Original Tariff Sheet Nos. 107, 107A, 107B, in the Rates section of its Colo. P.U.C. No. 11-Electric Tariff. The Company will also post on its website at the time of

filing: (1) a Customer Notice attached herewith as Attachment 1 and (2) Advice Letter No. 793-Electric and its accompanying tariff sheets, for thirty (30) days. The website posting will include a reference to the applicable proceeding number. The applicable website address for the posting of Advice Letter No. 793-Electric, Attachment 1, and the accompanying tariff sheets is: <http://www.blackhillsenergy.com/rates/applications>.

b. Printing a message on each applicable customer's bill providing the website URL for the Customer Notice and Advice Letter No. 793-Electric and its accompanying tariff sheet, and a toll-free phone number for assistance, beginning within one week after the filing of Advice Letter No. 793-Electric. The bill message will run for one full billing cycle. The bill message will read as follows:

**Non-residential, Demand-Metered Customers:**

Non residential customers with demand meters are eligible for optional ATO Dual Feeder Service if PUC approves the Company's tariff filing. Call 719.546.5885 or visit [www.blackhillsenergy.com/rates/applications](http://www.blackhillsenergy.com/rates/applications).

c. Publishing a legal notice of Advice Letter No. 793-Electric (i.e., Attachment 1), with size dimensions of four columns width and 11 inches height, in three newspapers of general circulation for the service territory: 1) *The Pueblo Chieftain* (two consecutive Tuesdays, November 17 and 24, 2020); and, 2) *The Cañon City Daily Record* (two consecutive Fridays, November 13 and 20, 2020); and, 3) *The Rocky Ford Daily Gazette* (two consecutive Thursdays, November 12 and 19, 2020).

3. Black Hills argues there is good cause for the alternative form of notice requested by this Motion. Black Hills notes the Company's 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, where the customer looks for dollar amount due and the payment deadline. Additionally, the toll-free phone number provided in the bill message will give customers a second option to learn more about the new tariff if they cannot access the internet for the Company's website. Further, Black Hills argues the newspaper publications will ensure general notice to customers throughout the

Company's service territory and the alternative forms of notice are expeditious and economic for the Company's customers.

5. Pursuant to § 40-3-104(1)(c)(I)(E), C.R.S., and 4 CCR 723-1-1207(b) a utility may request to provide an alternative form of notice of proposed tariff changes. We find that the alternative forms of notice Black Hills proposes in its 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 Black Hills requests.

## **II. ORDER**

### **A. It Is Ordered That:**

1. The Motion for Approval of Alternative Form of Notice filed by Black Hills Colorado Electric, LLC on November 6, 2020, is granted.

2. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
November 12, 2020.**

(S E A L)



ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Doug Dean".

Doug Dean,  
Director

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

JEFFREY P. ACKERMANN

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JOHN GAVAN

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MEGAN M. GILMAN

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Commissioners