

Decision No. C24-0775

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

PROCEEDING NO. 24AL-0275E

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IN THE MATTER OF ADVICE LETTER NO. 871 FILED BY BLACK HILLS COLORADO ELECTRIC, LLC TO INCREASE BASE RATE REVENUES, TO IMPLEMENT REVISED BASE RATES FOR ALL RATE SCHEDULES, AND OTHER TARIFF REVISIONS EFFECTIVE JULY 15, 2024.

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**COMMISSION DECISION  
SHORTENING RESPONSE TIME TO JOINT MOTION  
PURSUANT TO ELECTRIC RULE 3109(F)(III)(D), AND  
REQUEST FOR EXPEDITED RESPONSE TIME OF FIVE  
BUSINESS DAYS**

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Issued Date: October 24, 2024  
Adopted Date: October 23, 2024

**I. BY THE COMMISSION**

**A. Statement**

1. On June 14, 2024, Black Hills Colorado Electric, LLC, doing business as Black Hills Energy (“BHCOE” or the “Company”) filed Advice Letter No. 871 (“AL 871”) with tariff sheets to revise base rate revenue for all electric service in the Company’s Colorado P.U.C. No. 11 Tariff, along with certain other changes to its tariff. Black Hills filed the direct testimony of 13 witnesses in support of its request.

2. Through this Decision, the Commission shortens response time to the Joint Motion Pursuant to Electric Rule 3109(F)(II)(D), and Request for Expedited Response Time of Five Business Days to close of business on October 25, 2024.

**B. Discussion, Findings and Conclusions**

3. By Decision No. C24-0489, issued July 9, 2024, the Commission set for hearing and suspended the effective date of the tariff sheets filed with Advice Letter No. 871 for 120 days, to November 12, 2024, pursuant to § 40-6-111(1), C.R.S.

4. By Decision No. C24-0581-I,<sup>1</sup> issued on August 13, 2024, the Commission suspended the effective date of the tariff sheets filed with Advice Letter No. 871 an additional 130-days, to March 22, 2025, pursuant to § 40-6-111(1), C.R.S. By the same decision the Commission established the parties to this Proceeding.<sup>2</sup>

5. On October 18, 2024, Staff, UCA, and the Pueblo Joint Movants, collectively (“Joint Movants”) filed a “Joint Motion pursuant to Electric Rule 3109(f)(III)(D), and Request for Expedited Response Time of Five Business Days.” (“Notice Motion”) In the Notice Motion, the Joint Movants raise numerous concerns about the Customer Notice issued by Black Hills on June 14, 2024, in conjunction with its advice letter filing in this Proceeding.

6. On October 21, 2024, Black Hills Filed a Corrected Customer Notice. The Company corrects certain mistakes highlighted in the Joint Motion. Black Hills states that it will provide a formal response to the Joint Motion within the response time approved by the Commission.

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<sup>1</sup> Decision No. C24-0581-I was initially issued in error as Decision No. C24-0580-I. An Errata correcting that error issued on August 20, 2024.

<sup>2</sup> Parties to this Proceeding are: BHCOE; Staff of the Commission (“Staff”); the Colorado Office of Utility Consumer Advocate (“UCA”); the City of Pueblo, County of Pueblo, and Pueblo Economic Development Corporation (collectively “Pueblo”); Energy Outreach Colorado (“EOC”); Laborers International Union of North America, Local 720; Colorado Solar and Storage Association and the Solar Energy Industries Association (jointly “COSSA/SEIA”); Board of Water Works of Pueblo, The Fountain Valley Authority, and Colorado Springs Utilities/Southern Delivery System (collectively “Public Utility Intervenors”); City of Canon City and City of Florence (jointly “Canon City/Florence”); Electrify America, LLC; Western Resource Advocates/Sierra Club (jointly “WRA/Sierra Club”); Holcim (U.S.), Inc.

7. We find good cause to shorten response time to the Joint Motion to close of business on October 25, 2024. The Joint Motion indicates that no party is opposed to shortened response time. The Commission is cognizant of the current procedural schedule and need for quick resolution of the substance of the Joint Motion. As such, the Commission finds good cause to shorten response time pursuant to Commission Rule 400(b), 4 *Colorado Code of Regulations* 723-1.

## **II. ORDER**

### **A. The Commission Orders That:**

1. Response time to the Joint Motion Pursuant to Electric Rule 3109(F)(III)(D), and Request for Expedited Response Time of Five Business Days is shortened to close of business on October 25, 2024.

2. This Decision is effective immediately upon its Issued Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
October 23, 2024.**

(S E A L)



ATTEST: A TRUE COPY

Rebecca E. White,  
Director

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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MEGAN M. GILMAN

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Commissioners