

Decision No. C25-0248

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 23A-0392EG

IN THE MATTER OF THE VERIFIED APPLICATION OF BLACK HILLS COLORADO GAS,
INC. FOR APPROVAL OF ITS 2024-2028 CLEAN HEAT PLAN.

**COMMISSION DECISION GRANTING
APPLICATION FOR REHEARING, REARGUMENT, OR
RECONSIDERATION OF DECISION NO. C25-0091 FOR
THE SOLE PURPOSE OF TOLLING THE STATUTORY
TIME LIMIT IN § 40-6-114(1), C.R.S.**

Issued Date: April 2, 2025
Adopted Date: March 26, 2025

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of the Application seeking Rehearing, Reargument, or Reconsideration (“RRR Application”) of Decision No. C25-0091, which the Commission issued on February 12, 2025. The RRR Application was filed on March 4, 2025, by Black Hills Colorado Gas, Inc. (“Black Hills”).

2. By this Decision, we grant the RRR Application for the sole purpose of tolling the 30-day statutory time limit in § 40-6-114(1), C.R.S., for the Commission to act upon such applications so that they will not be denied by operation of law.

B. Findings and Conclusions

3. Through Decision No. C25-0091, issued on February 12, 2025, the Commission considered the Application filed by Black Hills requesting that the Commission issue a Decision

approving the proposals contained in Black Hills' 2024-2028 Clean Heat Plan, which the utility filed on December 29, 2023.

4. Consistent with the statutory time limit in § 40-6-114(1), C.R.S., and the procedures in Rule 1506 of the Rules of Practice and Procedure, 4 *Code of Colorado Regulations* 723-1, any applications for RRR were due within 20 days after Decision No. C25-0091 became effective.

5. Pursuant to § 40-6-114(1), C.R.S., we are required to consider and act upon any application for RRR within 30 days of its filing (in this case by April 3, 2025) or the Application will be denied by operation of law. We find that, due to the complexity of the issues presented in the RRR Applications, particularly the questions of statutory interpretation, as well as the press of business at the Commission, the Commission requires further time to consider and rule upon the RRR Application. Therefore, to preclude a denial by operation of law, we grant the RRR Application for the sole purpose of tolling the statutory time limit.

6. This grant is procedural, and undertaken only to toll the statutory time limit in § 40-6-114(1), C.R.S. We will further deliberate on the issues raised for consideration in the RRR Applications at a future Commissioners' Weekly Meeting and issue a separate decision ruling upon the merits of these applications.

I. ORDER

A. The Commission Orders That:

1. The Application for Rehearing, Reargument, or Reconsideration of Decision No. C25-0091, filed on March 4, 2025, by Black Hills Colorado Gas, Inc. is granted, consistent with the discussion above.

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

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
March 26, 2025.**

(S E A L)



ATTEST: A TRUE COPY

Rebecca E. White,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ERIC BLANK

MEGAN M. GILMAN

TOM PLANT

Commissioners