

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14V-0405G

IN THE MATTER OF THE PETITION OF BLACK HILLS/COLORADO NATURAL GAS UTILITY COMPANY, L.P. DOING BUSINESS AS BLACK HILLS ENERGY, FOR VARIANCE FROM COMMISSION RULE 723-4-4752(C) AND FOR WAIVER OF THE NOTICE PERIOD.

**DECISION GRANTING PETITION FOR VARIANCE
FROM COMMISSION RULE 723-4-4752(C)
AND FOR WAIVER OF THE NOTICE PERIOD**

Mailed Date: May 9, 2014
Adopted Date: May 7, 2014

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of a Petition for Variance (Petition) filed by Black Hills/Colorado Gas Utility Company, LP (Black Hills) on April 30, 2014. Black Hills seeks a variance from Commission Rule 4 *Code of Colorado Regulations* (CCR) 723-4-4752(c) of the Rules Regulating Gas Utilities and Pipeline Operators, and for waiver of the notice period.

2. Black Hills seeks a variance of Commission Rule 4 CCR 723-4-4752(c) which requires that “DSM plan applications are to be filed by May 1 of the final year of the current DSM plan.” Black Hills is specifically requesting a two-week extension of time from May 1, 2014 until May 15, 2014 to file its 2015-2017 Gas Demand Side Management (DSM) Plan Application. Black Hills also requests a waiver of the notice period.

B. Discussion

3. Black Hills requests the extension of time because the 2015-2017 Gas DSM Plan is being sponsored by Black Hills' Manager of Strategy and Program Design, Matthew E. Daunis, whose mother recently passed away. The death of his mother required out-of-state travel and personal time for Mr. Daunis to attend the funeral and handle personal affairs. For this reason, Black Hills requires additional time to file its Application, including the supporting testimony of Mr. Daunis.

4. Black Hills is also requesting a waiver of the notice period for the 2015-2017 Gas DSM Plan. Black Hills states that the requested relief would only extend the file date of Black Hills' Plan for the future period of 2015 through 2017, and does not impact its current 2012-2014 Gas DSM Plan.

C. Findings

5. We find the request of Black Hills for a variance, extension of time, and waiver of notice period to be reasonable.

6. We find good cause to grant the Petition. Black Hills shall file its 2015-2017 Gas DSM Plan on or before May 15, 2014.

II. ORDER**A. The Commission Orders That:**

1. The Petition for Variance of Rule 4 *Code of Colorado Regulations* 723-4-4752(c) filed by Black Hills/Colorado Gas Utility Company, LP, for a variance from the May 1, 2014 deadline within which to file its 2015-2017 Gas Demand Side Management Plan is granted.

2. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
May 7, 2014.**

(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

JOSHUA B. EPEL

PAMELA J. PATTON

Commissioners

COMMISSIONER GLENN A. VAAD ABSENT.