

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14A-0799E

IN THE MATTER OF THE APPLICATION OF BLACK HILLS/COLORADO ELECTRIC UTILITY COMPANY, LP, FOR COMMISSION APPROVAL OF AN ALTERNATIVE FORM OF NOTICE TO AMEND THE AVOIDED COST RATE AND CORRESPONDING FILING DATE FOR CO-GENERATION AND SMALL POWER PRODUCTION FACILITIES IN THE RULES SECTION OF THE COLORADO PUC NO. 8-ELECTRIC TARIFF AND WAIVER OF RESPONSE TIME.

**DECISION GRANTING APPLICATION
FOR ALTERNATIVE FORM OF NOTICE
AND WAIVING RESPONSE TIME**

Mailed Date: August 1, 2014

Adopted Date: July 30, 2014

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of an Application for Approval of an Alternative Form of Notice (Application) filed on July 23, 2014 by Black Hills/Colorado Electric Utility Company, LP (Black Hills or Company).

2. Black Hills requests the Commission enter a decision approving an alternative form of notice pursuant to § 40-3-104(1)(c)(I)(D), C.R.S., that will apply to its Advice Letter No. 684-Electric. The purpose of Advice Letter No. 684-Electric is to amend the Company's avoided cost rate and annual avoided cost rate filing date for Co-generation and Small Power Production Facilities in the Rules section of its Colo. P.U.C. No. 8-Electric Tariff. The Company also seeks to change its annual avoided cost rate filing and effective dates from May 31 and July 1 to December 1 and January 1, respectively.

3. Black Hills is seeking Commission approval to use the following form of alternative notice:

- a. Filing with the Commission, and keeping open for inspection, Advice Letter No. 684-Electric;
- b. Posting on the website for Black Hills Energy: (1) a Customer Notice attached to the Application; and (2) Advice Letter No. 684-Electric and its accompanying tariff sheets, for 30 days beginning with the date of filing Advice Letter No. 684-Electric;
- c. Printing a message on each customer's bill providing the website URL for the Customer Notice and Advice Letter No. 684-Electric and its accompanying tariff sheet, and a toll-free phone number for assistance, beginning with the first bill cycle after filing Advice Letter No. 684-Electric; and,
- d. Publishing a legal notice of Advice Letter No. 684-Electric, with size dimensions of 4 columns width and 11 inches height, in three newspapers of general circulation for the service territory: 1) *The Pueblo Chieftain* (two consecutive Sundays, July 27 and August 3, 2014); and, 2) the *Cañon City Daily Record* (two consecutive Fridays, August 1 and August 8, 2014); and, 3) the *Rocky Ford Daily Gazette* (two consecutive Thursdays, July 31 and August 7, 2014).

4. Black Hills argues that there is good cause for the alternative form of notice.

A bill message, unlike a bill insert, provides more visibility to the customer because it is presented on the first page of the bill, where the customer looks for the dollar amount due and the payment deadline. The website posting will provide the required information regarding the amended tariffs to the general public. The toll-free phone number provided in the bill message will give customers a second option to learn more about the amended tariffs if they cannot access the Internet for the Company's website. The newspaper publications will provide accessible and timely notice across the Company's entire service territory. According to Black Hills, these alternative forms of notice are expeditious and economic for the Company's customers.

5. The Application contains the information required by the applicable Commission rules and is therefore deemed complete.

6. We find good cause to grant the Application and to waive response time to it. We find that the alternative form of notice proposed by Black Hills is reasonable. The Commission will discuss the merits of Advice Letter No. 684-Electric at a future date.

II. ORDER

A. The Commission Orders That:

1. The Application for Approval of an Alternative Form of Notice filed on July 23, 2014 by Black Hills/Colorado Electric Utility Company, LP is deemed complete and granted. Response time to the Application is waived.

2. This Decision is effective upon its Mailed Date.

B. **ADOPTED IN COMMISSIONERS' WEEKLY MEETING July 30, 2014.**

(S E A L)



ATTEST: A TRUE COPY

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.