

Decision No. C14-1088

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14A-0880E

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IN THE MATTER OF APPLICATION OF BLACK HILLS/COLORADO ELECTRIC UTILITY COMPANY, LP FOR COMMISSION APPROVAL OF AN ALTERNATIVE FORM OF NOTICE TO AMEND LANGUAGE REGARDING ITS BLACK HILLS ENERGY ASSISTANCE PROGRAM (BHEAP) IN THE RULES SECTION OF THE COLORADO P.U.C. NO. 8-ELECTRIC TARIFF AND WAIVER OF RESPONSE TIME.

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

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Mailed Date: September 9, 2014  
Adopted Date: September 3, 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 August 29, 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. 685-Electric. The purpose of that Advice Letter No. 685-Electric is to amend language regarding the Black Hills Energy Assistance Program in the Rules section of its Colo. P.U.C. No. 8-Electric Tariff. Black Hills also seeks a waiver of response time to this Application.

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. 685-Electric;
- b. Posting on the website for Black Hills Energy: (1) a Customer Notice attached to the Application; and (2) Advice Letter No. 685-Electric and its accompanying tariff sheets, for 60 days;
- c. Printing a message on each customer's bill providing the website URL for the Customer Notice and Advice Letter No. 685-Electric and its accompanying tariff sheets, and a toll-free phone number for assistance, beginning with the first bill cycle after filing Advice Letter No. 685-Electric; and,
- d. Publishing a legal notice of Advice Letter No. 685-Electric (*i.e.*, Exhibit 1), 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, August 31 and September 7, 2014); and, 2) the *Cañon City Daily Record* (two consecutive Fridays, September 5 and September 12, 2014); and, 3) the *Rocky Ford Daily Gazette* (two consecutive Thursdays, September 4 and September 11, 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. 685-Electric at a future date.

## II. ORDER

### A. The Commission Orders That:

1. The Application for Approval of an Alternative Form of Notice (Application) filed on August 29, 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 September 3, 2014.**

(S E A L)



ATTEST: A TRUE COPY

Doug Dean,  
Director

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

JOSHUA B. EPEL

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PAMELA J. PATTON

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GLENN A. VAAD

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Commissioners