

Decision No. C14-1234-I

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

PROCEEDING NO. 14A-0923E

---

IN THE MATTER OF THE APPLICATION OF BLACK HILLS/COLORADO ELECTRIC UTILITY COMPANY, LP FOR AN ORDER APPROVING A 2015 INTERIM ON-SITE SOLAR AND COMMUNITY SOLAR GARDEN PROGRAM.

---

**INTERIM DECISION  
REQUIRING SUPPLEMENTAL FILING**

---

Mailed Date: October 10, 2014  
Adopted Date: October 8, 2014

**I. BY THE COMMISSION**

**A. Statement**

1. This matter comes before the Commission for consideration of a Verified Application filed by Black Hills/Colorado Electric Utility Company, LP (Black Hills or Company) on September 9, 2014 requesting approval of an interim on-site solar and a community solar garden (CSG) program.

2. Black Hills filed its 2015-2017 Renewable Energy Standard (RES) Compliance Plan on July 29, 2014 in Proceeding No. 14A-0535E. In the instant Application, the Company states the procedural schedule in Proceeding No. 14A-0535E will not permit a final decision on its 2015-2017 RES Compliance Plan before December 31, 2014. In order to ensure that its solar programs can continue, Black Hills seeks approval, on an interim basis, of the proposed on-site solar and CSG programs that it filed as part of its 2015-2017 RES Compliance Plan.

3. By Decision No. R14-1091-I, Proceeding No. 14A-0535E issued September 8, 2014, the Commission shortened the notice and intervention period and set October 2, 2014, as

the deadline for the filing of requests for permissive intervention or notices of intervention of right.

4. On October 2, 2014, the Office of Consumer Counsel (OCC) filed a notice of intervention of right. The OCC expresses concern that Black Hills provides no factual support for its proposed on-site solar program in the instant proceeding. For instance, the OCC notes that the incentive payments in the proposed interim program are identical to those put forward by the Company in its 2015-2017 RES Compliance Plan in Proceeding No. 14A-0535E. The OCC argues that any support for those incentives is provided in that case and not in this proceeding. The OCC also expresses concern that the proposed incentives, which are in the form of payments for Renewable Energy Credits, may be higher than necessary. Despite these concerns, the OCC states that it does not request a hearing.

**B. Conclusions**

5. Before we determine whether to set this matter for hearing or otherwise consider the merits of the Application, the Company shall address the concerns raised by the OCC in its notice of intervention of right. We direct Black Hills to supplement its direct testimony and address these matters no later than October 31, 2014.

**II. ORDER**

**A. It Is Ordered That:**

1. Black Hills/Colorado Electric Utility Company, LP shall make a supplemental filing no later than October 31, 2014, consistent with the discussion above.

2. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
October 8, 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

---

GLENN A. VAAD

---

Commissioners