

Decision No. C14-1398

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14A-1103E

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 METER ERRORS IN THE RULES SECTION OF THE COLORADO P.U.C. NO. 8 – ELETRIC TARIFF AND WAIVER OF RESPONSE TIME.

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

Mailed Date: November 24, 2014
Adopted Date: November 20, 2014

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On November 14, 2014, Black Hills/Colorado Electric Utility Company, LP (Black Hills or Company) filed an application requesting Approval of an Alternative Form of Notice and for Waiver of Response Time (Application) to apply to its filing to amend the language regarding meter errors and billing adjustments in the Rules section of its Colorado P.U.C. No. 8 – Electric tariff.

2. Black Hills states that it is filing Advice Letter No. 688 – Electric to amend language regarding meter errors and billing adjustments in accordance with Commission Rule 3402, 4 *Code of Colorado Regulations* 723-3 of the Rules Regulating Electric Utilities.

3. According to Black Hills, Advice Letter No. 688 - Electric amends the Rules section of its Colo. P.U.C. No. 8 – Electric tariff in four instances. First, when a meter is found to be running fast, in excess of 2 percent, Black Hills will refund to the customer one-half of the

weighted-average error for the period of time elapsed from the discovery of the error to the last previous test; and, the period of time shall not exceed 24 months. Second, when a meter is found to be running slow, in excess of 2 percent, in any test, Black Hills may make a charge to the customer for one-half of the weighted-average error for the period of time elapsed from the discovery of the error to the last previous test; and, the period of time shall not exceed six months. Third, this filing adds tariff language to explain the billing options for the aforementioned meter errors. Fourth, this filing clarifies that any meter test (not only a meter test made at the request of the customer) can determine a fast- or slow-running meter in excess of 2 percent; and, the words “average error” is clarified to read “weighted-average error.”

4. In its Application for Alternative Notice, Black Hills seeks authorization to use the following alternative form of notice:

(a) filing Advice Letter No. 688 – Electric with the Commission and keeping it open for inspection;

(b) posting on the website for Black Hills Energy: (i) a Customer Notice attached to the Application as Exhibit 1; and (ii) Advice Letter No. 688 – Electric and its accompanying tariff sheets, for 60 days beginning with the date of filing Advice Letter No. 688-Electric;

(c) printing a message on each customer’s bill providing the website URL for the Customer Notice and Advice Letter No. 688-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. 688 – Electric; and

(d) publishing a legal notice of Advice Letter No. 688 – Electric, with size dimensions of 4 columns width and 11 inches height, in three newspapers of general circulation for the service territory: *The Pueblo Chieftain* (two consecutive Sundays, November 23 and November 30, 2014); the *Cañon City Daily Record* (two consecutive Fridays, November 21 and November 28, 2014); and the *Rocky Ford Daily Gazette* (two consecutive weeks, Thursday November 20 and Friday November 28, 2014).

5. In support of its proposed alternative form of notice, Black Hills contends that:

(a) 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; (b) the website posting will provide the required information regarding the amended tariffs to the general public; (c) 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 Black Hills' website; (d) the newspaper publications will provide accessible and timely notice across the Company's entire service territory; and (e) these alternative forms of notice are expeditious and economic for the Company's customers.

6. The Application contains all of the information required by Commission rules and is therefore deemed complete.

7. The Commission finds good cause to grant the Application and waive response time. We find that the alternative form of notice proposed by Black Hills is reasonable with respect to the stakeholders and the general public.

II. ORDER

A. The Commission Orders That:

1. The application filed November 14, 2014, by Black Hills/Colorado Electric Utility Company, LP requesting Approval of an Alternative Form of Notice and for Waiver of Response Time to apply to its filing to amend the language regarding meter errors and billing adjustments in the Rules section of its Colorado P.U.C. No. 8 – Electric tariff, is deemed complete and is granted.

2. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
November 20, 2014.**

(S E A L)



ATTEST: A TRUE COPY



Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JOSHUA B. EPEL

PAMELA J. PATTON

GLENN A. VAAD

Commissioners