

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

PROCEEDING NO. 20A-0190G

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IN THE MATTER OF THE VERIFIED APPLICATION OF BLACK HILLS COLORADO GAS, INC. FOR APPROVAL OF A NATURAL GAS DEMAND SIDE MANAGEMENT PLAN FOR CALENDAR YEARS 2021, 2022 AND 2023.

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**INTERIM DECISION OF  
ADMINISTRATIVE LAW JUDGE  
ROBERT I. GARVEY  
VACATING EVIDENTIARY HEARING;  
SETTING DATES FOR FILING OF SETTLEMENT  
AGREEMENT AND SETTLEMENT TESTIMONY**

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Mailed Date: September 29, 2020

**I. STATEMENT**

1. On May 1, 2020, Black Hills Colorado Gas, Inc., doing business as Black Hills Energy filed a Verified Application for approval of a natural gas demand side management (DSM) plan for calendar years 2021, 2022, and 2023.

2. On May 19, 2020, Colorado Public Utilities Commission Trial Staff filed a Notice of Intervention as of Right, Entry of Appearance, Notice Pursuant to Rule 1007(a), and Request for Hearing.

3. On June 2, 2020, the Colorado Office of Consumer Counsel filed an Intervention and Request for a Hearing.

4. On June 3, 2020, the Colorado Energy Office filed its Notice of Intervention by Right.

5. On June 3, 2020, Energy Outreach Colorado (EOC) filed its Motion to Intervene and Entry of Appearance. EOC states that it has a tangible and pecuniary interest in ensuring that it may efficiently and effectively administer its low-income DSM services.

6. During its weekly meeting on June 17, 2020, the Commission referred this matter to an Administrative Law Judge (ALJ).

7. The procedural history of this proceeding is set out in previous Decisions and is repeated here as necessary to put this Decision in context.

8. On September 25, 2020, the Parties filed their Notice of Settlement, Unopposed Joint Motion to Vacate Hearing and Request for Waiver of Response Time (Joint Motion).

9. In the Joint Motion the Parties state they have reached an agreement in the above captioned proceeding. The Parties also request that the undersigned allow the Settlement Agreement and any testimony in support of the Settlement Agreement be filed by October 19, 2020.

10. Good cause is found to vacate the evidentiary hearing.

11. Should the undersigned ALJ determine that a hearing on the settlement is necessary, it shall be set in a later decision.

## **II. ORDER**

### **A. It Is Ordered That:**

1. The Unopposed Joint Motion to Vacate Hearing and Wavier of Response Time filed on September 25, 2020, is granted and response time is waived.

2. The evidentiary hearing scheduled for October 1 and 2, 2020, is vacated.

3. The Parties shall file their Settlement Agreement and any supporting testimony by close of business on October 19, 2020.
4. The Parties shall be held to the advisements in this Decision.
5. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

ROBERT I. GARVEY

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Administrative Law Judge

ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Doug Dean".

Doug Dean,  
Director