

Decision No. C14-0511

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

PROCEEDING NO. 11A-393G

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IN THE MATTER OF THE APPLICATION OF BLACK HILLS/COLORADO NATURAL GAS UTILITY COMPANY, L.P. DOING BUSINESS AS BLACK HILLS ENERGY, FOR APPROVAL OF ITS NATURAL GAS DEMAND SIDE MANAGEMENT (DSM) PLAN FOR CALENDAR YEARS 2012, 2013 AND 2014.

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**DECISION GRANTING MOTION  
FOR VARIANCE FROM COMMISSION  
RULE 4 CCR 723-4-4755(A) AND  
FOR WAIVER OF RESPONSE TIME**

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Mailed Date: May 14, 2014  
Adopted Date: May 14, 2014

**I. BY THE COMMISSION**

**A. Statement**

1. Black Hills/Colorado Gas Utility Company, LP (Black Hills) by its undersigned attorney, pursuant to Colorado Public Utilities Commission (Commission) Rule 1003 of the Commission's Rules of Practice and Procedure, 4 *Code of Colorado Regulations* (CCR) 723-1, requests a variance from Rule 4755(a) of the Rules Regulating Gas Utilities and Pipeline Operators, 4 CCR 723-4, which requires that each utility include the measurement and verification (M&V) evaluation results with its annual demand side management (DSM) report in those years when the M&V is conducted. By this motion for variance, Black Hills seeks an extension until May 15, 2014, to file the 2013 Evaluation Reports (defined below). Black Hills also requests a waiver of the response time.

2. Black Hills seeks an extension of time to file the 2013 evaluation reports required by Rule 4755(a), which states that the utility "...shall include the complete M & V evaluation results with its annual DSM report in those years when the M & V is conducted." Annual DSM reports are required to be filed on April 1 of each year pursuant to Rule 4752(b).

3. Black Hills will be filing M&V reports for the following program evaluated as part of the 2013 plan year: Residential Energy Evaluation, Residential Envelope Measures Retrofit, and Low Income Weatherization.

**B. Discussion**

4. Black Hills requests the extension of time because it notes that it engaged an independent consultant to perform these evaluations. The consultant advised Black Hills that it needs more time to complete and finalize the 2013 Evaluation Reports. Black Hills requests an extension from April 1, 2014, until May 15, 2014, to file the 2013 Evaluation Reports.

5. Black Hills is also requesting a waiver of the response time. No party intervened in this proceeding. Black Hills requests that the response time for this motion be waived.

**C. Findings**

6. We find the request of Black Hills for a motion for the extension of time and waiver of notice period to be reasonable.

7. We find good cause to grant the motion. Black Hills shall file its 2013 M&V Reports on or before May 15, 2014.

**II. ORDER**

**A. The Commission Orders That:**

1. The Motion for Variance from Rule 4 *Code of Colorado Regulations* 723-4-4752(c), filed by Black Hills/Colorado Gas Utility Company, LP, for a variance from the May 1, 2014 deadline within which to file its measurement and verification (M&V) reports is granted.

2. Black Hills/Colorado Gas Utility Company, LP shall have until May 15, 2014 to file its 2013 M&V reports.

3. Response time to the motion is waived.

4. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
May 7, 2014.**

( S E A L )



ATTEST: A TRUE COPY

Doug Dean,  
Director

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

PAMELA J. PATTON

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GLENN A. VAAD

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Commissioners

CHAIRMAN JOSHUA B. EPEL  
ABSENT.