

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

PROCEEDING NO. 14A-0535E

---

IN THE MATTER OF THE APPLICATION OF BLACK HILLS/COLORADO ELECTRIC UTILITY COMPANY, LP FOR APPROVAL OF ITS 2015-2017 RENEWABLE ENERGY STANDARD (RES) COMPLIANCE PLAN.

---

**INTERIM DECISION GRANTING MOTION, IN PART,  
AND EXTENDING DEADLINE FOR RESPONSES**

---

Mailed Date: June 6, 2014

Adopted Date: June 5, 2014

**I. BY THE COMMISSION**

**A. Statement**

1. This matter comes before the Commission for consideration of a Motion for Additional Response Time (Motion) filed by the Colorado Office of Consumer Counsel (OCC) on June 3, 2014.

2. On May 23, 2014, Black Hills/Colorado Electric Utility Company, LP (Black Hills) filed an application for approval of its 2015-2017 Renewable Energy Standard (RES) Compliance Plan. Black Hills also filed with the application a Motion for Waivers, in which it seeks variances from certain provisions related to the Standard Rebate Offer as set forth in the Commission's RES Rules, 4 *Code of Colorado Regulations* (CCR) 723-3-3650, *et seq.*

3. In the Motion, the OCC explains that, by operation of Rule 1400(b) of the Commission's Rules of Practice and Procedure, 4 CCR 723-1, response time to a motion is 14 days after service of the motion. Thus the associated deadline for responses to Black Hills'

Motion for Waivers is June 6, 2014 under Rule 1400(b). However, the OCC also notes that filings for intervention in this proceeding are generally due no later than June 27, 2014.<sup>1</sup>

4. The OCC requests that the Commission extend the response time to Black Hills' Motion for Waivers in light of the intervention deadline. The OCC suggests that the Commission allow responses up to 14 days after the Commission issues its decision on requests for intervention in this proceeding.

5. In addition to filing the Motion, the OCC filed its Notice of Intervention of Right and Request for Hearing on June 3, 2014. The OCC states that it is concerned with a number of aspects of Black Hills' 2015-2017 RES Plan and requests a formal evidentiary hearing.

6. We agree with the OCC that an extension of the normal 14-day response time to Black Hills' Motion for Waivers is necessary in this situation. However, we are not prepared to adopt a deadline for responses to the Motion for Waivers at this time. A deadline for responses to Black Hills' Motion for Waivers shall be established by a future decision.

## II. ORDER

### A. The Commission Orders That:

1. The Motion for Additional Response Time filed by the Colorado Office of Consumer Counsel on June 3, 2014 is granted, in part, consistent with the discussion above.

2. Response time to the Motion for Waivers filed by Black Hills/Colorado Electric Utility Company, LP on May 23, 2014 is extended beyond the 14 days set forth in Rule 1400(b) of the Commission's Rules of Practice and Procedure, 4 *Code of Colorado Regulations* 723-1. The deadline for responses to the Motion for Waivers shall be established by a separate decision.

---

<sup>1</sup> Staff of the Colorado Public Utilities Commission has an additional ten days to submit its intervention filing.

3. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
June 5, 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