

Decision No. C14-0795

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14A-0724G

IN THE MATTER OF APPLICATION OF BLACK HILLS/COLORADO GAS UTILITY COMPANY, LP, FOR COMMISSION APPROVAL OF AN ALTERNATIVE FORM OF NOTICE TO AMEND LANGUAGE REGARDING LOW INCOME ASSISTANCE IN ITS COLORADO PUC NO. 3-GAS TARIFF AND WAIVER OF RESPONSE TIME.

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

Mailed Date: July 11, 2014

Adopted Date: July 9, 2014

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of an Application for Commission Approval of an Alternative Form of Notice and for Waiver of Response Time (Application), filed on July 1, 2014, by Black Hills/Colorado Gas Utility Company, LP (Black Hills or Company).

2. Black Hills requests the Commission enter an order approving an alternative form of notice pursuant to § 40-3-104(1)(c)(I)(D), C.R.S., that will apply to its Advice Letter No. 565-Gas. By that advice letter, Black Hills seeks to amend language for its low income assistance program in its Colo. PUC No. 3-Gas Tariff. Low income assistance is provided under the Black Hills Energy Assistance Program (BHEAP). Black Hills also seeks waiver of response time to this Application.

3. With this proposed tariff change, the Company has: (1) set the eligibility limit for participants at 150 percent of the current Federal Poverty Level (FPL) in compliance with Decision No. C14-0636 in Proceeding No. 14V-0551EG issued June 16, 2014; (2) has updated the dollar amounts for FPL pursuant to notification from the Commission under Rule 4412(c)(II)(A) of the Commission's Rules Regulating Gas Utilities and Pipeline Operators, 4 *Code of Colorado Regulations* 723-4; and, (3) has reduced the BHEAP funding rates for the next program year which begins on August 1, 2014. The proposed BHEAP funding rates are reduced to reflect lower program enrollment levels than budgeted previously by the Company.

4. Black Hills is seeking Commission approval to use the following form of alternative notice:

- a. Filing with the Commission, and keeping open for inspection, Advice Letter No. 565-Gas, which amends language concerning low income assistance in its Colo. PUC No. 3-Gas Tariff;
- b. Posting on the website for Black Hills Energy: (1) a Customer Notice attached as Exhibit 1; and (2) Advice Letter No. 565-Gas and its accompanying tariff sheet, for sixty (60) days beginning with the date of filing Advice Letter No. 565-Gas;
- c. Printing a message on each customer's bill providing the website URL for the Customer Notice and Advice Letter No. 565-Gas and its accompanying tariff sheet, and a toll-free phone number for assistance, beginning with the first bill cycle after filing Advice Letter No. 565-Gas; and,
- d. Publishing a legal notice of Advice Letter No. 565-Gas (*i.e.*, Exhibit 1), with size dimensions of 4 columns width and 11 inches height, in the newspaper of general circulation for the service territory—*The Colorado Springs Gazette*—on two consecutive Sundays, July 6 and July 13, 2014.

5. Black Hills argues there is good cause for the alternative form of notice.

The Company would like to avoid incurring "time and materials" expense for printing customer bill inserts, where such expense includes both Company employees and third-party vendors.

Black Hills argues that 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. The website posting will provide the required information regarding the amended tariffs to the general public. 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 Company's website. The newspaper publication will provide accessible and timely notice across the Company's entire service territory. Black Hills argues that these alternative forms of notice are expeditious and economic for its customers.

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

7. We find good cause to grant the Application and to waive response time to it. We find that that alternative form of notice proposed by Black Hills is reasonable with respect to the stakeholders and the general public. The Commission will discuss the merits of Advice Letter No. 565-Gas at a future date.

II. ORDER

A. The Commission Orders That:

1. The Application for Commission Approval of an Alternative Form of Notice and for Waiver of Response Time, filed on July 1, 2014, by Black Hills/Colorado Gas Utility Company, LP is granted and response time is waived.

2. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
July 9, 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