

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 19AL-0615E

IN THE MATTER OF ADVICE LETTER NO. 779 FILED BY BLACK HILLS COLORADO ELECTRIC, LLC DOING BUSINESS AS BLACK HILLS ENERGY TO AMEND THE TRANSMISSION COST ADJUSTMENT RIDER TO BECOME EFFECTIVE JANUARY 1, 2020.

**INTERIM DECISION GRANTING MOTION FOR
ALTERNATIVE FORM OF NOTICE**

Mailed Date: December 9, 2019
Adopted Date: November 13, 2019

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On November 1, 2019, Black Hills Colorado Electric, LLC (Black Hills or Company) filed a Motion for Approval of Alternative Form of Notice (Motion) that will apply to Advice Letter No. 779-Electric. Through Advice Letter No. 779-Electric, Black Hills seeks to amend a Transmission Cost Adjustment (TCA) definition and its TCA calculation inputs on Tariff Sheet No. 101 in its Colo. P.U.C. No. 11-Electric Tariff. The Company states that the proposed tariff amendments will increase the TCA rate from \$0.002069 per kWh to \$0.002860 per kWh, effective January 1, 2020.

2. The Motion pertains only to a request for alternative form of notice for the Company's amendments to reflect the TCA revisions. However, on November 15, 2019, the Company filed a separate advice letter to amend its Purchased Capacity Cost Adjustment (PCCA) effective January 1, 2020, and the Company states that on November 27, 2019, it will file another advice letter to amend its Energy Cost Adjustment (ECA) effective January 1, 2020. Given the

Company's requirement during the month of November to revise its TCA, PCCA, and ECA, Black Hills seeks approval to provide alternative notice that reflects the filing of these three adjustments. The Company filed a similar motion for alternative form of notice to apply to the PCCA advice letter and states that it will file a similar motion for alternative form of notice to apply to the ECA advice letter.

3. By its Motion, Black Hills seeks authorization to use the following alternative forms of notice:

(a) filing with the Commission, and keeping open for inspection, Advice Letter No. 779-Electric;

(b) posting Advice Letter No. 779-Electric and the accompanying tariff sheet on the Company's website for 45 days beginning at the time of filing the advice letter, and, after filing the ECA advice letter, posting on the Company's website a Customer Notice that provides customers a comprehensive notice of the TCA, PCCA, and ECA filings and the impacts of these three filings;

(c) printing a message on each applicable customer's bill providing the website URL for the Customer Notice and the advice letter and tariff sheet, and a toll-free phone number for assistance, beginning with the December 2019 bill cycle, that encompasses the TCA, PCCA, and ECA filings; and

4. (d) publishing a combined legal notice of the TCA, PCCA, and ECA filings that consolidates the three rate adjustments in the following newspapers of general circulation for the service territory on the following dates: (1) *The Pueblo Chieftain* (December 3rd and December 10th); (2) the *Cañon City Daily Record* (December 6th and December 13th); and (3) the *Rocky Ford Daily Gazette* (December 5th and December 12th).

5.

6. Black Hills believes that through the proposed notice forms, it will be able to reach all customers in the service territory in an affordable and efficient manner. The Company states that the additional notice methods prescribed by § 40-3-104(1)(c)(I), C.R.S., either involve unwarranted "time and materials" expenses, or they conflict with the Company's billing cycles. Additionally, to explain why it is not providing notice through email or text message, Black Hills states that a vast number of the Company's customers are not enrolled to receive alerts via email or text.

7. Black Hills asserts that good cause exists for the alternative form of notice. The Company states that the bill message will provide visibility to the customer because it is presented on the first page of the bill, that the website posting will provide the required information to the general public, and that the toll-free phone number in bill messages will give customers a second option to learn more about the amended tariff if they cannot access the internet. Further, the Company contends the newspaper publication will provide accessible and timely notice across the Company's entire service territory and will provide a comprehensive notice of multiple adjustments to take effect on January 1, 2020.

8. Pursuant to § 40-3-104(1)(c)(I)(E), C.R.S., and 4 *Code of Colorado Regulations* 723-1-1207(b) of the Commission's Rules of Practice and Procedure, a utility may request to provide an alternative form of notice of proposed tariff changes.¹ We find the alternative form of notice proposed by the Company is reasonable with respect to the Company's stakeholders and its general body of electric ratepayers. We therefore find good cause to grant the alternative form of notice as requested by the Company.

II. ORDER

A. **It Is Ordered That:**

1. The Motion for Approval of Alternative Form of Notice filed on November 1, 2019, by Black Hills Colorado Electric, LLC requesting approval of an alternative form of notice to apply to its Advice Letter No. 779, is granted.

2. This Decision is effective on its Mailed Date.

¹ In its Motion, Black Hills cites to an outdated provision of the statute. The Commission reminds the Company that recent revisions to § 40-3-104(1)(c), C.R.S., include a change to which subsection allows alternative forms of notice.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
November 13, 2019.**

(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

JEFFREY P. ACKERMANN

FRANCES A. KONCILJA

JOHN GAVAN

Commissioners