

Decision No. C20-0712-I

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

PROCEEDING NO. 20AL-0399E

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IN THE MATTER OF ADVICE LETTER NO. 791 FILED BY BLACK HILLS COLORADO ELECTRIC, LLC TO DECREASE THE DEMAND SIDE MANAGEMENT COST ADJUSTMENT (DSMCA) TO BECOME EFFECTIVE JANUARY 1, 2021.

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**INTERIM COMMISSION DECISION GRANTING  
REQUEST FOR ALTERNATIVE FORM OF NOTICE**

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Mailed Date: October 7, 2020  
Adopted Date: September 30, 2020

**I. BY THE COMMISSION**

**A. Statement, Findings, and Conclusions**

1. On September 25, 2020, Black Hills Colorado Electric, LLC (Black Hills or the Company) filed this Motion for Approval of Alternative Form of Notice (Motion). By Advice Letter No. 791-Electric, also filed on September 25, 2020, the Company seeks to amend its Demand Side Management Cost Adjustment (DSMCA) calculation inputs, on Tariff Sheet No. 71, in the Rates section of its Colo. P.U.C. No. 11-Electric Tariff. The DSMCA is applicable to all retail customers. Black Hills states that the proposed tariff amendments will decrease the DSMCA rate from 1.98 percent to 1.95 percent.

2. Black Hills asserts that conferral is not required for this Motion according to Commission Rule 4 *Code of Colorado Regulations* (CCR) 723-1-1400(a)(I) of the Commission's Rules of Practice and Procedure, and that responses to this Motion are not allowed according to Commission Rule 4 CCR 723-1-1207(b).

3. Black Hills states that it is seeking authority under § 40-3-104(1)(c)(I)(E), C.R.S., and Rule 1207(b) to provide alternative forms of notice for the DSMCA adjustment to its customers. The company seeks approval to use the following forms of notice:

- (a) Filing with the Commission, and keeping open for inspection, Advice Letter No. 791-Electric, which amends its DSMCA calculation inputs, on Tariff Sheet No. 71, in the Rules section of its Colo. P.U.C. No. 11-Electric Tariff. The Company will also post on its website at the time of filing: (1) a Customer Notice attached herewith as Attachment 1 and (2) Advice Letter No. 791-Electric and its accompanying tariff sheet, for sixty (60) days. The website posting will include a reference to the applicable proceeding number. The applicable website address for the posting of Advice Letter No. 791-Electric, Attachment 1, and the accompanying tariff sheet is: <http://www.blackhillsenergy.com/rates/applications>.
- (b) Printing a message on each applicable customer's bill providing the website URL for the Customer Notice and Advice Letter No. 791-Electric and its accompanying tariff sheet, and a toll-free phone number for assistance, beginning within one week after the filing of Advice Letter No. 791-Electric. The bill messages will run for one full billing cycle. ...
- (c) Publishing a legal notice of Advice Letter No. 791-Electric (*i.e.*, Attachment 1), with size dimensions of four columns width and 11 inches height, in three newspapers of general circulation for the service territory: 1) *The Pueblo Chieftain* (two consecutive Tuesdays, October 6<sup>th</sup> and October 13<sup>th</sup>); and 2) the *Cañon City Daily Record* (two consecutive Fridays, October 9<sup>th</sup> and October 16<sup>th</sup>); and 3) the *Rocky Ford Daily Gazette* (two consecutive Thursdays, October 8<sup>th</sup> and October 15<sup>th</sup>).

Motion at pp. 2 and 3.

4. Black Hills believes that through noticing customers via bill messages, legal notice publication, and the required website posting, the Company will be able to reach all customers in the service territory in an affordable and efficient manner.

5. Black Hills claims there is good cause to approve the Motion because the Company's bill message does not conflict with its billing cycle, and it provides 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 toll-free phone number provided in the bill

message will give customers a second option to learn more about the amended tariff if they cannot access the internet for the Company's website. In addition, the newspaper publications will ensure general notice to customers throughout the Company's service territory.

6. Pursuant to § 40-3-104(1)(c)(I)(E), C.R.S., and 4 CCR 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. We find that the alternative forms of notice Black Hills proposes in its Motion will provide sufficient notice to Black Hills' customers and will do so efficiently. We therefore find good cause to approve the alternative forms of notice Black Hills requests.

## **II. ORDER**

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

1. The Motion for Approval of Alternative Form of Notice filed on September 25, 2020, is granted.
2. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
September 30, 2020.**

(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

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JOHN GAVAN

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MEGAN M. GILMAN

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Commissioners