

Decision No. R23-0238-I

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

PROCEEDING NO. 22AL-0426G

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IN THE MATTER OF ADVICE LETTER NO. 126 FILED BY ROCKY MOUNTAIN NATURAL GAS LLC DOING BUSINESS AS BLACK HILLS ENERGY TO REVISE ITS COLORADO PUC NO. 4 TARIFF FOR AN INCREASE IN RATES AND TO IMPLEMENT OTHER PROPOSED CHANGES, TO BECOME EFFECTIVE NOVEMBER 7, 2022.

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**INTERIM DECISION OF  
ADMINISTRATIVE LAW JUDGE  
ALENKA HAN,  
EXTENDING DEADLINE TO FILE  
WITNESS ORDER AND CROSS EXAMINATION MATRIX  
AND  
STIPULATION(S) OR SETTLEMENT AGREEMENT(S)**

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Mailed Date: April 07, 2023

**I. STATEMENT**

**A. Procedural Background**

1. On October 7, 2022, Rocky Mountain Natural Gas LLC, doing business as Black Hills Energy (RMNG), commenced this Proceeding by filing Advice Letter No. 126 with the Public Utilities Commission (PUC or Commission).<sup>1</sup>

2. The procedural history of this Proceeding is set out in previously issued Interim Decisions and is repeated here as necessary to put this Interim Decision in context.

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<sup>1</sup>, Advice Letter No. 126, issued by Rocky Mountain Natural Gas LLC, d/b/a Black Hills Energy, filed Oct. 7, 2022.

3. By Decision No. C22-0684 mailed on November 3, 2022, the Commission suspended the effective date of RMNG's Advice Letter and referred the matter to an Administrative Law Judge (ALJ) for disposition.

4. The Colorado Office of the Utility Consumer Advocate (UCA) and Commission Staff filed Interventions as of Right. AM Gas Transfer Corporation (AM Gas) was permitted to intervene by Decision No. R22-0821-I. RMNG, UCA, AM Gas, and Commission Staff are thus the parties to this Proceeding.

5. Decision No. R23-0036-I, issued January 13, 2023, extended the statutory period within which the Commission must issue its decision by an additional 130 days, or up to and including July 15, 2023. Decision No. R23-0036-I also established a procedural schedule to govern this Proceeding and set the matter for an evidentiary hearing commencing April 11-13, 2023. As pertinent here, pursuant to that procedural schedule, the parties' Witness Order and Cross Examination Matrices as well as any Stipulations or Settlement Agreements were due in this Proceeding on or before April 5, 2023.

**B. Request for Extension of Deadline to Submit Witness Order and Cross Examination Matrices**

6. On April 5, 2023, the parties, through RMNG's counsel, informally advised the undersigned ALJ that three of the four parties had reached a settlement in principle in this Proceeding.

7. In order to provide the parties with sufficient time to finalize and present their agreement, RMNG's counsel informally requested that the deadline for the parties to submit their respective Witness Order and Cross Examination Matrices and any finalized Stipulation(s) or Settlement Agreement(s) be extended through April 7, 2023.

8. As the Commission encourages parties to engage in settlement discussions, the undersigned ALJ finds that extending the deadline for the parties to submit their respective Witness Order and Cross Examination Matrices and any Stipulations or Settlement Agreements will help facilitate settlement discussions and provide the parties with additional time necessary to finalize and submit a settlement agreement.

9. The Procedural Schedule adopted by Decision No. R23-0036-I will therefore be amended to extend the deadline for filing Witness Order and Cross Examination Matrices and for filing Stipulation(s) and Settlement Agreement(s) up to and including April 7, 2023.

## **II. ORDER**

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

1. The Procedural Schedule set by Decision No. R23-0036-I is amended to extend the deadline for each party to file its respective Witness Order and Cross Examination Matrix up to and including **April 7, 2023**.

2. The Procedural Schedule set by Decision No. R23-0036-I is further amended to extend the deadline for the parties to submit their Stipulation(s) or Settlement Agreement(s) up to and including **April 7, 2023**.

3. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

ALENKA HAN

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Administrative Law Judge

ATTEST: A TRUE COPY

A handwritten signature in cursive script, appearing to read "G. Harris Adams".

G. Harris Adams,  
Interim Director