

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 25A-0176G

IN THE MATTER OF THE VERIFIED APPLICATION OF BLACK HILLS COLORADO GAS, INC., DOING BUSINESS AS BLACK HILLS ENERGY, FOR APPROVAL OF A NATURAL GAS DEMAND SIDE MANAGEMENT PLAN AND STRATEGIC ISSUES FOR CALENDAR YEARS 2026 AND 2027.

**INTERIM DECISION EXTENDING STATUTORY
DEADLINE, ADOPTING PROCEDURAL SCHEDULE,
SCHEDULING HYBRID HEARING, PROVIDING
INSTRUCTIONS CONCERNING EXHIBITS AND FOR
PARTICIPATING IN HYBRID HEARING, AND
VACATING REMOTE PREHEARING CONFERENCE**

Issued Date: July 8, 2025

I. STATEMENT

A. Relevant Procedural Background

1. On April 25, 2025, Black Hills Colorado Gas, Inc. d/b/a Black Hills Energy (“Black Hills”) filed an Application with the Colorado Public Utilities Commission (“PUC” or “Commission” for approval for a natural gas energy efficiency or demand side management (“DSM”) and strategic issues (“SI”) plan for calendar years 2026-2027. In support of its Application, Black Hills filed Direct Testimony and accompanying attachments of three witnesses.

2. The Commission issued a Notice of Application Filed on May 1, 2025 that set a 30-day intervention period.

3. On May 19, 2025, May 30, 2025, and June 2, 2025, the Colorado Office of the Utility Consumer Advocate (“UCA”), the Colorado Energy Office (“CEO”), and Trial Staff of the Commission (“Staff”) filed Notices Of Intervention By Right, respectively.

4. On June 2, 2025, Energy Outreach Colorado (“EOC”) filed an Unopposed Motion To Permissively Intervene in this Proceeding (“Motion to Intervene”).

5. On June 11, 2025, the Commission deemed the Application complete and referred the proceeding to an Administrative Law Judge (“ALJ”) by minute entry. The proceeding was subsequently assigned to the undersigned ALJ.

6. On June 24, 2025, the ALJ issued Decision No. R25-0478-I that scheduled a remote prehearing conference for July 8, 2025, and required the parties to confer about a procedural schedule and Black Hills to file a report of the conferral by July 3, 2025.

7. On July 3, 2025, Black Hills filed the Conferral Report stating that the parties had agreed to the following procedural schedule (Consensus Schedule):

<u>Event</u>	<u>Deadline</u>
Answer Testimony	August 18, 2025
Rebuttal/Cross-Answer Testimony	September 19, 2025
Prehearing Motions	September 26, 2025
Settlement Agreement(s) Stipulations	October 2, 2025
Settlement/Stipulation Testimony	October 7, 2025
Corrections to Pre-Filed Testimony & Exhibits Cross-Examination Matrix	October 9, 2025
Hybrid Hearing	October 14-15, 2025
Statements of Position	November 6, 2025

Black Hills also reported that the parties agree that: (a) Commission Rule 1405 will govern discovery; and (b) the hearing should be conducted as a hybrid hearing.

B. Extension of Deadline

8. As stated in the Notice, because Black Hills filed testimony with the Application, the Commission is required by § 40-6-109.5(1), C.R.S., to issue its decision within 120 days of the Application being deemed complete by the Commission. Thus, the Commission's decision in this proceeding must issue by October 9, 2025. However, § 40-6-109.5(1), C.R.S., also provides that the Commission may, in its discretion and by a separate decision, extend the time for a decision by an additional 130 days.

9. Here, considering the Consensus Schedule proposed by the parties, the time available, the time necessary to address other pending matters, and the need for the Commission to have adequate time to deliberate on the issues presented in this matter, it is not feasible for a final Commission decision to issue by October 9, 2025. Accordingly, pursuant to § 40-6-109.5(1), C.R.S., it is necessary to extend the deadline for an additional 130 days to February 16, 2026.

C. Pre- and Post-Hearing Schedule

10. The Consensus Schedule and the parties' proposal to shorten discovery response time as described above will be accepted. A deadline of October 7, 2025 shall be established for Black Hills to file a Notice identifying the parties and witnesses who will participate in the hearing in-person or remotely. For the hearing to remain a hybrid hearing, at least one party or witness must appear in person; otherwise, the hearing will be converted to a fully remote hearing. The schedule for the proceeding is as follows:

<u>Event</u>	<u>Deadline</u>
Answer Testimony	August 18, 2025
Rebuttal/Cross-Answer Testimony	September 19, 2025
Prehearing Motions	September 26, 2025
Settlement Agreement(s) Stipulations	October 2, 2025
Settlement/Stipulation Testimony Notice of Parties'/Witnesses' Remote or In-Person Participation	October 7, 2025
Corrections to Pre-Filed Testimony & Exhibits Cross-Examination Matrix	October 9, 2025
Hybrid Hearing	October 14-15, 2025
Statements of Position	November 6, 2025

11. In order to efficiently organize the numbering and preparation of exhibits for the hearing, all parties must use a unified numbering system for all hearing exhibits. Blocks of hearing exhibit numbers are assigned as follows:

- Black Hills is assigned hearing exhibit numbers 100 to 199;
- Staff is assigned hearing exhibit numbers 200 to 299;
- UCA is assigned hearing exhibit numbers 300 to 399;
- CEO is assigned hearing exhibit numbers 400 to 499; and
- EOC is assigned hearing exhibit numbers 500 to 599.

D. Hybrid Evidentiary Hearing

12. As agreed to by the parties, the evidentiary hearing shall be scheduled for October 14-15, 2025. Based on the input of the parties, the hearing will be conducted as a hybrid hearing.

This Decision and Attachments A and B provide critical information and instructions to facilitate holding the hybrid hearing, which all parties must follow.

13. To minimize the potential that the hybrid hearing may be disrupted by non-participants, the link, meeting ID code, and passcode to attend the hearing will be provided to the participants by email before the hearing, and the participants will be prohibited from distributing that information to anyone not participating in the hearing.

14. Attachment A to this Decision provides the information addressing how to use the Zoom platform for remotely participating in the hearing. Attachment B outlines procedures and requirements for marking and formatting exhibits to facilitate the efficient and smooth electronic evidence presentations at the hybrid hearing. It is extremely important that the parties carefully review and follow all requirements in this Decision and Attachments A and B.

E. Remote Prehearing Conference

15. The Conferral Report comprehensively addresses the issues the ALJ intended to address at the remote prehearing conference. Accordingly, the remote prehearing conference scheduled for July 8, 2025 will be vacated.

II. ORDER

A. It Is Ordered That:

1. For the reasons stated above, the deadline for a Commission decision on the Application filed in this proceeding is extended to February 16, 2026.

2. The schedule stated in paragraph 10 above is adopted.

3. A hybrid hearing in this proceeding is scheduled as follows:

DATE: October 14-15, 2025

TIME: October 14, 2025: 9:00 a.m. to 5:00 p.m.

October 15, 2025: Following the completion of the
Commissioners' Weekly Meeting to 5:00 p.m.

PLACE: In-person: Commission Hearing Room A, Suite 250, 1560
Broadway, Denver, Colorado

By video conference: using the Zoom web conferencing
platform at a link be provided to the participants by email.

4. The remote prehearing conference scheduled for July 8, 2025 at 10:30 a.m. is
vacated.

5. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

CONOR F. FARLEY

Administrative Law Judge

ATTEST: A TRUE COPY

Rebecca E. White,
Director