

Decision No. R25-0516-I

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

PROCEEDING NO. 25A-0062E

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IN THE MATTER OF THE APPLICATION OF BLACK HILLS COLORADO ELECTRIC, LLC  
FOR APPROVAL OF ITS 2025 DISTRIBUTION SYSTEM PLAN.

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**INTERIM DECISION GRANTING REQUEST TO MODIFY  
PROCEDURAL SCHEDULE**

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Issued Date: July 14, 2025

**I. STATEMENT, DISCUSSION, AND CONCLUSIONS**

1. On January 31, 2025, Black Hills Colorado Electric, LLC (“Black Hills” or the “Company”) filed its Application (“Application”) for Approval of its 2025-2029 Distribution System Plan (“DSP”). By Decision No. C25-0221-I, issued March 25, 2025, the Commission set the matter for hearing, acknowledged the interventions as of right filed by the Trial Staff of the Colorado Public Utilities Commission (“Staff”) and the Colorado Office of the Utility Consumer Advocate (“UCA”), and designated Commissioner Eric Blank as Hearing Commissioner for this Proceeding pursuant to § 40-6-101(2), C.R.S.

2. Decision No. R25-0332-I, issued May 1, 2025, included the Hearing Commissioner’s adoption of a stipulated procedural schedule. The procedural schedule was modified by Decision No. R25-0504-I, issued July 3, 2025, which granted the Company’s request to extend the settlement deadline from July 2, 2025, to July 9, 2025.

3. On July 9, 2025, Black Hills filed an unopposed motion to approve a partial settlement agreement (“Motion”), included with the Motion as Attachment A (“Partial Settlement

Agreement”). In the Motion, Black Hills states that each of the Parties to the Proceeding request that the Commission approve the Partial Settlement Agreement, with the exception that UCA does not agree to the waiver request of Commission Rule 3531(a)(II), 4 *Code of Colorado Regulations* 723-3.

4. Due to the Partial Settlement Agreement, the Motion requests that the procedural schedule be modified. Black Hills states that it plans to file, and any of the Parties may file, testimony in support of the Partial Settlement Agreement by July 16, 2025, and that the Parties may also address the waiver request of Rule 3531(a)(II). The Motion requests that the hearing scheduled by Decision No. R25-0332-I for July 24 and 25, 2025, be scheduled for one day on July 24, 2025. The Motion requests that the rest of the procedural schedule be vacated.

5. Additionally, Black Hills states that the Parties request response time to the Motion be waived because the Partial Settlement Agreement and the Motion is unopposed.

6. The Hearing Commissioner finds good cause to grant requested modifications to the procedural schedule. Pre-filed testimony in support of the Partial Settlement Agreement or addressing the waiver request of Rule 3531(a)(II) shall be filed by July 16, 2025.

7. The remote evidentiary hearing in this proceeding shall occur on July 24, 2025, beginning at 9:00 a.m., as scheduled by Decision No. R25-0332-I. The July 25, 2025, hearing date is vacated.

8. The remaining date on the procedural schedule adopted by Decision No. R25-0332-I is the August 22, 2025, deadline for Statements of Position. This deadline shall remain part of the procedural schedule as the Motion does not propose an alternative deadline for consideration. The filing date for Statements of Position will be confirmed with the Parties at conclusion of the evidentiary hearing.

9. The Hearing Commissioner also finds good cause to waive remaining response time to the unopposed Motion.

## **II. ORDER**

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

1. The request to modify the procedural schedule for this Proceeding, contained in the Unopposed Motion to Approve Partial Settlement Agreement filed by Black Hills Colorado Electric, LLC, on July 9, 2025 (“Motion”), is granted as discussed above.

2. The deadline for Parties to file testimony in support of the Partial Settlement Agreement or testimony addressing the request for waiver of Commission Rule 3531(a)(II), 4 *Code of Colorado Regulations* 723-3, is July 16, 2025.

3. The second day of the remote evidentiary hearing in this Proceeding, scheduled for July 25, 2025, is vacated. The hearing scheduled for July 24, 2025, remains scheduled.

4. The remaining response time to the Motion is waived.

5. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

ERIC BLANK

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Hearing Commissioner

ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Rebecca E. White".

Rebecca E. White,  
Director