

Decision No. C25-0221-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 COMMISSION DECISION  
SETTING APPLICATION FOR HEARING,  
ESTABLISHING PARTIES, AND  
DESIGNATING HEARING COMMISSIONER**

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Issued Date: March 25, 2025

Adopted Date: March 19, 2025

**I. BY THE COMMISSION**

**A. Statement**

1. On January 31, 2025, Black Hills Colorado Electric, LLC (“Black Hills” or the “Company”) filed an Application for approval of its 2025 Distribution System Plan (“DSP”). The Company filed the Application pursuant to the Commission’s Rules Governing Distribution System Planning, 4 *Code of Colorado Regulations* (CCR), 723-3-3525, *et seq.* (“DSP Rules”). Black Hills also filed its DSP with a Motion for Waiver of Commission Rules (“Waiver Motion”).

2. On March 3, 2025, the Colorado Office of the Utility Consumer Advocate (“UCA”) filed a notice of intervention as of right and request for hearing. UCA seeks to examine whether the DSP: is in the public interest; conforms with the Commission’s DSP Rules; maintains system reliability and efficiency; properly addresses customer costs and savings issues; and delivers customer benefits. UCA further seeks to explore whether Black Hills’ request to defer expenses

associated with this Proceeding is just and reasonable and whether the Company's request for waivers of certain DSP Rules is just, reasonable and in the public interest.

3. On March 7, 2025, Trial Staff of the Colorado Public Utilities Commission ("Staff") filed a notice of intervention as of right and request for hearing. Staff seeks to examine whether Black Hills' DSP satisfies the obligations pursuant to the Settlement Agreement from Black Hills previous DSP proceeding, approved by Decision Nos. R24-0118 and C23-0541-I in Proceeding No. 23A-0357E. Staff also seeks to determine whether the Company's projected distribution capital spending of approximately \$207 million from 2024 through 2028 is reasonable and in the public interest. Staff also seeks to examine whether the DSP gives sufficient consideration to affordability and reliability concerns of disproportionately impacted communities and income-qualified ratepayers.

**B. Findings and Conclusions**

4. The Application was deemed complete on March 20, 2025, in accordance with § 40-6-109.5, C.R.S.

5. We find good cause to set the matter for hearing.

6. We acknowledge the Interventions as of Right filed by UCA and Staff.

7. The parties to this Proceeding are Black Hills, UCA, and Staff.

8. The Commission designates Commissioner Eric Blank as Hearing Commissioner, pursuant to § 40-6-101(2), C.R.S.

9. The Hearing Commissioner will rule on the Waiver Motion and will schedule a hearing and establish procedures by separate decision(s).

## **II. ORDER**

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

1. The Application for Approval of the 2025 Distribution System Plan filed by Black Hills Colorado Electric, LLC (“Black Hills”) on January 31, 2025, is set for hearing, consistent with the discussion above.
2. The notice of intervention as of right filed by the Colorado Office of the Utility Consumer Advocate (“UCA”) on March 3, 2025, is acknowledged.
3. The Notice of Intervention as of Right filed by Trial Staff of the Colorado Public Utilities Commission (“Staff”) on March 7, 2025, is acknowledged.
4. Black Hills, UCA, and Staff are the parties in this Proceeding.
5. Pursuant to § 40-6-101(2), C.R.S., Commissioner Eric Blank is designated as the Hearing Commissioner in this matter.
6. The Hearing Commissioner will schedule a hearing and establish procedures by separate decision(s).

7. This Decision is effective upon its Issued Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
March 19, 2025.**

(S E A L)



ATTEST: A TRUE COPY

Rebecca E. White,  
Director

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

ERIC BLANK

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Commissioners