

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO
PROCEEDING NO. 25AL-0263E

IN THE MATTER OF ADVICE LETTER NO. 892 FILED BY BLACK HILLS COLORADO ELECTRIC, LLC DOING BUSINESS AS BLACK HILLS ENERGY TO INCREASE THE BLACK HILLS AFFORDABILITY PROGRAM FUNDING RATE, TO BECOME EFFECTIVE JULY 16, 2025.

MOTION FOR APPROVAL OF ALTERNATIVE FORM OF NOTICE

Pursuant to C.R.S. § 40-3-104(1)(c)(I)(E) and Rule 1207(b), Black Hills Colorado Electric, LLC (“Black Hills” or “Company”), by its undersigned attorney, requests that the Commission enter an Order approving an alternative form of notice that will apply to Advice Letter No. 892-Electric. By Advice Letter No. 892-Electric, Black Hills seeks to increase the Black Hills Affordability Program (“BHEAP”) fees to increase the available funding by approximately \$1.8M annually. The Company is proposing to increase this funding so that it can increase the number of BHEAP participants to approximately 3,800 customers. The proposed BHEAP residential fee will increase from \$1.00 to \$1.45 per month to be effective July 16, 2025. The rate adjustment will increase the average residential customer monthly bill by \$0.45 from \$119.26 to \$119.71, or 0.38%. The average small commercial customer monthly bill will increase by \$2.43, from \$396.37 to \$398.80, or 0.61%.

Black Hills also asserts that conferral is not required for this Motion according to Commission Rule 1400(a)(I), and that responses to this Motion are not allowed according to Commission Rule 1207(b) except for Trial Staff of the Commission and the Utility Consumer Advocate, who may file a response within two business days of the filing of the motion. In support of the relief requested, Black Hills states as follows:

1. On June 16, 2025, the Company filed Advice Letter No. 892-Electric to increase the BHEAP fees beginning July 16, 2025.

2. Specifically, Black Hills seeks Commission authorization to use the following form of alternative notice for its amendments to the BHEAP fee:

- a. Filing with the Commission, and keeping open for inspection, Advice Letter No. 892-Electric, which amends the BHEAP fees, on Tariff Sheet No. 102, in its Colo. P.U.C. No. 11-Electric Tariff. The Company will also post on its website at the time of filing: (1) Attachment 1 – BHEAP Customer Notice which was filed on June 17, 2025 in this proceeding (“Customer Notice”) and (2) Advice Letter No. 892-Electric and its accompanying tariff sheet, for thirty (30) days. The website posting will include a reference to the applicable proceeding number. The applicable website address for the posting of Advice Letter No. 892-Electric, Attachment 1 – BHEAP Customer Notice, and the accompanying tariff sheet is: <https://www.blackhillsenergy.com/billing-and-payments/rates-and-regulatory-information/colorado-rates-and-regulatory-information>. The Customer Notice includes amendments and impacts of the BHEAP filing that have been proposed to be effective July 16, 2025, so as to provide customers with complete and comprehensive notice of the changes Black Hills is proposing to their rates. As shown in the Customer Notice, the Customer Notice will explain each adjustment and overall bill impact to customers.
- b. Printing a message on each applicable customer’s bill providing the website URL for the Customer Notice and Advice Letter No. 892-Electric and its accompanying tariff sheet, and a toll-free phone number for assistance. The bill message will run for one full billing cycle. The bill messages, by customer class, read as follows:

Residential:

“We filed to amend the BHEAP rate effective July 16, 2025. If approved, an average monthly residential bill would increase approximately \$0.45, or 0.38%. Call 888-890-5554 or visit blackhillsenergy.com/filings for more details.”

Small Commercial:

“We filed to amend the BHEAP rate effective July 16, 2025. If approved, an average monthly commercial bill would increase approximately \$2.43, or 0.61%. Call 888-890-5554 or visit blackhillsenergy.com/filings for more details.”

Other Customers:

“We filed to amend the BHEAP rates effective July 16, 2025. Call 719-546-6410 or 719-546-5869 for information on how the proposed amendments may affect them. You can also visit blackhillsenergy.com/filings for more details.”

- c. Publishing a legal notice of the BHEAP Advice Letter (*i.e.*, Attachment 1 – BHEAP Customer Notice), 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); and 2) the *Cañon City Daily Record* (two consecutive Fridays); and 3) the *Rocky Ford Daily Gazette* (two consecutive Thursdays).

3. In order to properly inform the customers regarding the rate change, the Company would like to use the forms of noticing described above. The Company 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. In the event the Commission denies this Motion, and determines that additional

notice is required, the Company will provide additional notice consistent with the Commission's order.

4. There is good cause for the alternative form of notice requested by this Motion. 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 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. These alternative forms of notice are expeditious and economic for the Company's customers.

5. The other methods of additional notice set forth in C.R.S. § 40-3-104(1)(c)(I)(A) through (D) are either too costly or not practical in light of the required timing. C.R.S. § 40-3-104(1)(c)(I)(A) through (C) requires that notice be completed during the first twenty days of the thirty-day period prior to the effective date of the change or during a regular billing cycle not later than the twentieth day of the thirty-day period prior to the effective date of the change. With the proposed effective date of July 16, 2025, the notice must be completed by July 7, 2025. However, the Company is not able to complete notice by July 7, 2025, while providing notice to all customers during a regular billing cycle. The inclusion of a bill insert in C.R.S. § 40-3-104(1)(c)(I)(A) and (C), as well as the mailing of notice to each affected customer reflected in C.R.S. § 40-3-104(1)(c)(I)(D) are costly. Finally, C.R.S. § 40-3-104(1)(c)(I)(D) allows for notice via e-mail or text message. However, customer fatigue from multiple e-mail and text messages will result in customers opting out of this delivery method reducing the ability to provide important emergency notifications when necessary. The alternative forms of notice sought herein includes part of the

methods of C.R.S. § 40-3-104(1)(c)(I)(A) (publication in a newspaper of general circulation) and C.R.S. § 40-3-104(1)(c)(I)(C) (statement on the bill mailed to each customer) to expeditiously and economically notify customers of the proposed change in rates.

6. Wherefore, Black Hills respectfully requests that the Commission approve the alternative form of notice set forth in this Motion to amend the BHEAP fee, on Tariff Sheet No. 102, in its Colo. P.U.C. No. 11-Electric Tariff.

Date: June 17, 2025

Respectfully submitted,

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Attorney for Black Hills Colorado Electric, LLC

CERTIFICATE OF SERVICE

I hereby certify that on June 17, 2025 the foregoing **BLACK HILLS COLORADO ELECTRIC, LLC MOTION FOR APPROVAL OF ALTERNATIVE FORM OF NOTICE** was filed and served via the Colorado Public Utilities Commission’s E-Filing system.

By: /s/ Nathan Larkin