

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 22AL-_____ E

IN THE MATTER OF THE ADVICE LETTER NO. 831 OF BLACK HILLS COLORADO ELECTRIC, LLC TO RECOVER COSTS ASSOCIATED WITH JOINING THE SOUTHWEST POWER POOL WESTERN ENERGY IMBALANCE SERVICE MARKET THROUGH THE ELECTRIC COMMODITY ADJUSTMENT.

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 d/b/a Black Hills Energy (“Black Hills” or “Company”), requests that the Commission enter an Order approving an alternative form of notice that will apply to Advice Letter No. 831-Electric. By Advice Letter No. 831-Electric, Black Hills seeks to amend the tariff for the Energy Cost Adjustment (“ECA”) within its Colo. P.U.C. No. 11-Electric. Specifically, the tariff amendments will allow for future cost recovery in its ECA tariff – starting in Second Quarter 2023 – relating to costs from participation in the Southwest Power Pool (“SPP”) Western Energy Imbalance Service (“WEIS”) market.. The proposed effective date for the tariff is September 2, 2022. 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). In support of the relief requested, Black Hills states as follows:

1. On August 2, 2022, the Company filed Advice Letter No. 831-Electric to amend tariff provisions for the Energy Cost Adjustment (“ECA”) within its Colo. P.U.C. No. 11-Electric. If approved, the tariff will become effective on September 2, 2022.

2. By this Motion, Black Hills seeks Commission approval to provide alternative notice of its proposed tariff amendment.

3. Specifically, Black Hills seeks Commission authorization to use the following form of alternative notice:

- a. Filing with the Commission, and keeping open for inspection, Advice Letter No. 831-Electric, which amends tariff provisions for the Energy Cost Adjustment (“ECA”) within its Colo. P.U.C. No. 11-Electric Colo. The Company will also post on its website at the time of filing: (1) a Customer Notice attached herewith as Attachment 1 and (2) Advice Letter No. 831-Electric and its accompanying tariff sheets, for at least sixty (60) days. The website posting will include a reference to the applicable proceeding number. The applicable website address for the posting of Advice Letter No. 831-Electric, Attachment 1, and the accompanying tariff sheets, is located at: <http://www.blackhillsenergy.com/rates/applications>;
- b. Printing a message on each customer’s bill providing the website URL for the Customer Notice and Advice Letter No. 831-Electric, its accompanying tariff sheets, and a toll-free phone number for assistance. The bill message will read as follows:

All Retail customers:

“Black Hills Energy has filed to allow future costs in its ECA tariff for participation in an energy imbalance market, SPP WEIS. Tariff is effective September 2, 2022, if approved. Further details at blackhillsenergy.com/rates/applications or call 888-890-5554.”

The bill message will begin within one week after the filing of Advice Letter No. 831-Electric and will run for one full billing cycle; and

- c. Publishing a legal notice of Advice Letter No. 831-Electric (*i.e.*, Attachment 1), 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, August 9 and 16, 2022); and, 2) the *Cañon City Daily Record* (two Fridays,

August 12 and 19, 2022); and, 3) the *Rocky Ford Daily Gazette* (two Thursdays, August 11 and 18, 2022).

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 tariff filing 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. Wherefore, Black Hills respectfully requests that the Commission approve the alternative form of notice set forth in this Motion to amend tariff provisions for the Energy Cost Adjustment ("ECA") within its Colo. P.U.C. No. 11-Electric Tariff.

Date: August 2, 2022

Respectfully submitted,

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