

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

**PROCEEDING NO. 21AL-\_\_\_\_\_ E**

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**IN THE MATTER OF ADVICE LETTER NO. 809 FILED BY BLACK HILLS COLORADO ELECTRIC, LLC TO ESTABLISH A NEW TARIFF FOR THE MANDATORY ENERGY ASSISTANCE SYSTEM BENEFIT CHARGE TO BECOME EFFECTIVE ON OCTOBER 1, 2021.**

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**MOTION FOR APPROVAL OF ALTERNATIVE FORM OF NOTICE**

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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”), requests that the Commission enter an Order approving an alternative form of notice that will apply to Advice Letter No. 809-Electric. By Advice Letter No. 809-Electric, Black Hills seeks to establish a new tariff for the mandatory Energy Assistance System Benefit Charge (“EASBC”) on Original Tariff Sheet No. 108, in the Rates section of its Colo. P.U.C. No. 11-Electric Tariff. EASBC is applicable to all utility customers unless customers have opted-out or are otherwise exempt. EASBC was enacted in Colorado House Bill 1105 (2021) and is codified in statute at §40-8.7-104(2.5), C.R.S. EASBC financially contributes to low-income utility assistance. The assistance is administered by Energy Outreach Colorado (EOC). 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 30, 2021, the Company filed Advice Letter No. 809-Electric to establish a new tariff for the mandatory EASBC on Original Tariff Sheet No. 108, in the Rates section of its Colo. P.U.C. No. 11-Electric Tariff.

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. 809-Electric, which establishes a new tariff for the mandatory Energy Assistance System Benefit Charge (“EASBC”) on Original Tariff Sheet No. 108, in the Rates section of its Colo. P.U.C. No. 11-Electric Tariff. 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. 809-Electric and its accompanying tariff sheets, 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. 809-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. 809-Electric and its accompanying tariff sheets, and a toll-free phone number for assistance, beginning within one week after the filing of Advice Letter No. 809-Electric. The bill message will run for one full billing cycle. The bill message will read as follows:

**All Customers:**

Colorado House Bill 1105 requires customers be billed the Energy Assistance System Benefit Charge (EASBC) at \$0.50 per month effective Oct. 1, 2021, pending PUC approval of the Company’s tariff filing. For more details, call 888-890-5554 or visit [blackhillsenergy.com/rates/applications](http://blackhillsenergy.com/rates/applications).

- c. Publishing a legal notice of Advice Letter No. 809-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, September 7 and 14, 2021); and, 2) the *Cañon City Daily Record* (two consecutive Fridays, September 10 and 17, 2021); and, 3) the *Rocky Ford Daily Gazette* (two consecutive Thursdays, September 9 and 16, 2021).

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 new 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. Wherefore, Black Hills respectfully requests that the Commission approve the alternative form of notice set forth in this Motion to establish a new tariff for the mandatory Energy Assistance System Benefit Charge ("EASBC") on Original Tariff Sheet No. 108, in the Rates section of its Colo. P.U.C. No. 11-Electric Tariff.

Date: August 30, 2021

Respectfully submitted,

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