

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 13A-0407E

**IN THE MATTER OF THE APPLICATION OF BLACK HILLS/COLORADO
ELECTRIC UTILITY COMPANY, LP FOR APPROVAL OF WIND SOLICITATION**

**BLACK HILLS/COLORADO ELECTRIC UTILITY COMPANY, LP'S
REPLY COMMENTS TO THE COMMENTS OF STAFF OF THE COMMISSION,
OFFICE OF CONSUMER COUNSEL AND COLORADO INDEPENDENT ENERGY
ASSOCIATION REGARDING THE REPORT OF THE INDEPENDENT EVALUATOR**

Pursuant to Decision No. R13-1072-I, Black Hills/Colorado Electric Utility Company, LP (“Black Hills” or the “Company”) submits these reply comments to comments filed by Staff of the Commission (Staff), Office of Consumer Counsel (OCC), and Colorado Independent Energy Association (CIEA) regarding the Independent Evaluator’s Report (IE Report) in this docket.

I. BACKGROUND

The process for this wind solicitation complied with Commission rules¹ and previously-followed Commission practices for conducting a solicitation under timelines subject to the exigencies of the Production Tax Credit (PTC) expiration.² To recap the process to date:

- The Company held a pre-bid conference on May 8, 2013 to present the Request for Proposals (RFP) and Model Power Purchase Agreement and field questions from potential bidders. The Company also accepted questions through the RFP website and

¹ See Commission Rule 3615(a)(III) and Commission Rule 3656(a).

² See, e.g., Docket No. 11A-869E (involving expedited Public Service Company of Colorado (PSCo) wind solicitation within its ERP process to take advantage of the PTC for its customers); Docket No. 10A-905E (involving expedited PSCo wind solicitation under similar circumstances).

provided written answers to bidders. On June 14, 2013, the Company received bids from two entities in response to the RFP.

- On July 1, 2013, the Company filed its Initial Wind Bid Report describing the results of the initial bid process. At that time, the Company decided to reopen the bid process with a lowered bid fee of \$2,500. On July 17, 2013, the Company received four additional bids. On August 2, 2013, the Company filed its Bid Evaluation Report and announced that Bidder B, Black Hills Colorado IPP, LLC (Black Hills IPP), was the winning bidder with its Power Purchase Agreement (PPA) bid.
- Following the Bid Evaluation Report, the Independent Evaluator (IE), Accion Group, filed its “Final Report of the Independent Evaluator” on August 13, 2013. Decision No. R13-0830-I then required comments on the report by August 23, 2013. Staff, OCC and CIEA submitted comments on the IE Report on August 23, 2013.
- On August 26, 2013, the Company filed a motion *in limine* seeking to exclude certain portions of the comments. On August 27, 2013, Staff, OCC, and CIEA filed responses to the motion. The Administrative Law Judge (ALJ) issued Decision No. R13-1072-I denying the motion on August 28, 2013. However, in the decision the ALJ permitted Black Hills to file reply comments and clarified the role of all comments submitted in this proceeding.

Black Hills respectfully submits the comments below pursuant to the decision.

II. REPLY COMMENTS

a. General Considerations Regarding Decision No. R13-1072-I

The ALJ described the Comments filed to the IE Report and concluded that: “[t]here is simply no evidence that the filed comments were in fact factual and opinion testimony in

violation of Black Hills’ due process rights.” *See* Decision No. R13-1072-I, at ¶ 19 (mailed August 28, 2013). The ALJ provided that “[t]hose comments are not considered testimony since they are not subject to discovery or cross-examination. Further, the weight accorded such comments is somewhat less than the weight accorded comments due to those due process infirmities.” *Id.* at ¶ 27. In addition, the Decision noted that Black Hills could voluntarily seek discovery and cross-examination on the comments and “request that the authors of CIEA’s and Staff’s comments be identified and be subject to cross-examination.” *Id.* at ¶ 28, fn 4. In this case, however, the ALJ determined that the procedural schedule would need to be extended “and the substance of the comments would of course be elevated in weight.” *Id.*

Given the exigencies associated with PTC qualification and the urgency of obtaining a Commission decision in this docket, Black Hills will not seek an extension of the procedural schedule.³ Moreover, the ALJ’s subordination of the value and weight given to the Comments somewhat ameliorates the due process concerns. To the extent the Comments are construed as not containing any factual or opinion testimony, and thus cannot be relied upon to support any factual or legal conclusions in this docket, there is diminished concern about the use of the Comments to urge conclusions in this docket. With this understanding, Black Hills will confine these Reply Comments to the issues raised in the filed Comments about the IE Report.

b. Reply to Staff Comments

Staff agreed with the economic evaluation of the IE showing Bidder B, Black Hills IPP, as having the least cost bid. Nonetheless, Staff recommends that the Commission order Black Hills to contract with Bidder A based on: (1) the higher capacity factor of the generation site of Bidder A; (2) the corresponding increase in generated RECs; (3) the higher leveraging of the

³ While the ALJ offered this as a potential avenue for Black Hills, the procedural schedule in this docket is tight in order to allow bidders to qualify for the PTC. Therefore, extending the procedural schedule to allow for discovery and cross-examination on the filed Comments was not a viable option for the Company.

PTCs; (4) the higher level of avoided carbon emissions stemming from the higher level of generation; and (5) the purported benefits of locational diversity. Staff deems the approximate \$5 million savings to customers from Bidder B as compared to Bidder A *de minimis* and asserts that the listed non-economic benefits result in a better overall value.

The filed Comments are neither factual testimony nor opinion subject to cross-examination. Accordingly, the probative value of Staff's preference of alternative criteria over lower cost to customers and its disagreement with the IE Report is limited. To be sure, a higher capacity factor wind project produces more wind-generated energy, more RECs and more avoided carbon emissions. Assuming the estimated capacity factors are accurate, Bidder A and Bidder C's respective locations have better wind regimes than Bidder B's site. Staff's Comment overlooks the fact that the economic value of the capacity factor, which is dependent on the location of the wind project, is already reflected in the valuation of the bids. This concept is explained in Mr. Stoffel's rebuttal testimony in response to the answer testimony of Ms. Farnsworth of Western Resource Advocates (WRA). In sum, inclusion of the capacity factor as a driving factor in the evaluation process effectively double-counts the benefits that a higher capacity factor provides to Black Hills' customers.

While Bidder A offers a better wind resource in terms of capacity factor, it suffers from other dispositive infirmities; specifically, as explained in discovery in this docket and Mr. Stoffel's rebuttal testimony, Bidder A's bid is noncompliant with the terms of the RFP. First, it is not located near the Black Hills system and wind energy does not benefit Black Hills' customers if it cannot be economically transported to the customers. As per the RFP, delivery to Black Hills' customers requires that the wind energy first be delivered from the site of the wind project into the transmission system that directly connects to the wind project, then redelivered to

the Black Hills system. In the case of Bidder A, this requires using a third transmission system. In addition, as set forth in Section 2.3 of the RFP, every bidder not directly connecting to the Black Hills transmission system was responsible for securing regulation services to ensure firm delivery of its energy. As previously discussed, neither Bidder A nor Bidder C included the cost of regulation services in their bids.

This omission trumps all of the purported additional benefits of Bidder A's bid because the bid was not designed to deliver energy to Black Hills in compliance with the terms and conditions of the RFP. The Company has discussed with Staff the failure of both Bidder A and Bidder C to provide regulation services in its bid, and Staff acknowledged this concern. Staff may have overlooked the noncompliance of Bidder A and Bidder C to include the cost of regulation service in their bids because they concluded that Black Hills, by imputing the cost of regulation service, cured the non-compliant bids. This interpretation is understandable given the statements in the Bid Evaluation Report that the bids were compliant. If it were clear that the bids of Bidder A and Bidder B were not compliant, Staff may not have recommended that a contract be awarded to a non-compliant bidder – Bidder A. The Company regrets this confusion in the process, however, in its responses to several discovery requests, the Company stated that the bids of Bidder A and Bidder C were not compliant. *See Exhibit A.*

Another issue raised by Staff involves the number of RECs generated by a project with a higher capacity factor and compliance with the Renewable Energy Standard (RES). Because compliance with the RES is accomplished using REC accounting, more RECs further the RES compliance efforts of a utility. RECs are only obtained, however, if and when a project comes online. This is where the regulation services requirement fits in, as the requirement provides more certainty and less risk to Black Hills and its customers. Bidder A did not provide this

information on two separate occasions, which calls into question the viability of its proposal. The Company agrees that Bidder A would produce more RECs; however, these RECs are purely theoretical if the project never comes online. The Company questions the viability of Bidder A's bid given its repeated failure to include regulation services in its bid. Increased RECs do not justify an override of the regulation services requirement in the RFP. Black Hills believes the bid of Black Hills IPP is the least cost bid and most certain to be constructed and in-service prior to January 1, 2015.

Staff's comments also reference "the requirement for bidders to have a Large Generator Interconnection Agreement (LGIA) in place at the time of bid submission." *See* Staff Comments, at 3 (filed August 26, 2013). The reference to an LGIA "requirement" was common in Comments and intervenor testimony in this docket. However, the RFP contained no such requirement. Instead, Section 5.2 states: "Due to the January 1, 2014 deadline for PTC compliance and the associated expedited schedule for this RFP, bidders are advised that bids without an existing LGIA or an existing interconnection queue position *will likely be disadvantaged* in this process." *See* Amended Exhibit No. FCS-1, at 19 (emphasis added). This provision alerted potential bidders that the timing of the LGIA process could present a potential obstacle because, in evaluating bids, the Company would have to assess the likelihood that the bidder could secure an interconnection. As discussed above, because of the timing constraints associated with the extension of the PTC and RES compliance issues, it is imperative that Black Hills identify a wind project that can actually be built, including the necessary interconnection. In sum, an LGIA was not a requirement for submittal and consideration of a bid, but awarding a bid to a bidder who could not ultimately construct its project because of interconnection issues would undermine the purpose of the RFP.

Another issue raised by Staff is locational diversity. The Company did not specifically weigh the qualitative benefits of locational diversity on a standalone basis. However, some of the benefits of diversity are reflected in the higher load factors of Bidder A and Bidder C. Black Hills disagrees with the unsupported statement that “Staff believes that [Bidder A] could decrease cost to ratepayers due to increased location diversity through lower renewable integration costs which include less gas generation cycling, less gas nomination penalties, less need for transmission upgrades, and less wind curtailment.” *See* Staff Comments, at 5. Because this is not testimony subject to discovery and cross-examination, it is difficult to understand the factual basis, or probity, of this assertion. Staff provided limited discussion of renewable integration costs by referencing the Company’s Wind and Solar Integration Study and the conclusion that there may be increased system costs for renewable energy integration by 2021. This is irrelevant here given that, to qualify for the 1.25 multiplier under Colorado law, the project must be in service prior to January 1, 2015. Furthermore, PTC qualification requires bidders to commence construction prior to January 1, 2014. Both of these requirements will be met by the Bidder B bid. Staff’s Comments also overlook the fact that Bidder A chose not to bid to actually connect and deliver its wind-generated energy to Black Hills system. Any purported benefits of locational diversity are of little value when it is uneconomic to connect to a distant wind generation project.

The Company also takes issue with Staff’s statement that “wind generation located where capacity factors near 50% can be achieved requires a 50% smaller environmental footprint and should be valued accordingly.” *See* Staff Comments, at 6. Capacity factors and environmental impacts are not this interrelated with one another. Areas with higher wind production can attract a greater number of wind machines and lead to greater environmental impacts. Additionally,

numerous undeveloped areas have attractive wind regimes. It could also be argued that adding additional turbines to developed sites mitigates environmental impacts. Finally, because this is not factual evidence but Comments aimed at the IE Report, it cannot be credited as having any factual weight in the Commission's evaluation of this solicitation.

Finally, Staff describes and supports an alternative bid evaluation process that is fundamentally different than that used by Black Hills. The Company asserts that its bid evaluation process was appropriate. Black Hills undertook this RFP outside of the ERP process to gain the benefits of the one-year extension of the PTC. The Company focused on running a fair and unbiased solicitation that would result in the best priced resource for customers. For that reason, the bid evaluation methodology established prior to receipt of the bids was heavily weighted towards the economic cost of the bid resources. The non-economic factors in the Company's evaluation focused on ensuring that a particular bid would in fact result in a project that could actually be built by a viable developer in a timely manner. While the primary motivator for undertaking the solicitation was to acquire renewable energy, Black Hills did not ascribe any special weighting tied to the number of produced RECs. Cost was the most important factor, and the relative capacity factors, produced RECs and avoided carbon emissions were all subsumed in the economics of each bid and evaluated accordingly.

Black Hills notes some of the beneficial results of Staff's comparison are overstated by comparing a proposed 20-year contract to a 25-year contract. An additional 5 years of production automatically creates additional RECs and avoided emissions. Black Hills does not object to pursuing a 25-year contract with Bidder B if that would provide further cost benefits to customers.

Black Hills disagrees with Staff's conclusion that these secondary aspects of the bids should be parsed out of the economic evaluation and provided determinative status. Rather, Black Hills believes its customers are best served by the undisputed lowest cost bid. The bid from Black Hills IPP was the least cost and only compliant bid submitted in response to this RFP. The IE Report confirms that and no intervenors have disputed that Bidder B offered the least cost bid. Notably, Staff does not dispute the IE's criteria and its conclusion based on those criteria. Staff wants different criteria, which is fair enough, but those criteria should have been introduced in advance of the closing of bids and included in the evaluation process. Staff had access to the IE's Website from the beginning of the solicitation process and never suggested any changes to either the RFP or what should be considered in the evaluation process.

c. Reply to OCC's Comments

Many of the issues raised in OCC's comments mirror discussion in Mr. Neil's answer testimony; such as OCC's concern with the 30 MW size of the bid, the bid fee and other procedural concerns with an allegedly "rigged" solicitation. Mr. Stoffel's rebuttal testimony provides factual and opinion testimony on these issues, and therefore the Company will not respond again in these comments. The Company will reply to two issues raised by the OCC: (1) concerns with the regulation services charge and (2) issues with access to the IE.

OCC first asserts that Black Hills should have provided the regulation services adder to potential bidders before bids were due. According to OCC, "[t]his would allow bidders to have known in advance what regulation services charges Black Hills would add onto their bid." See OCC Comments, at 3. Section 2.3 of the RFP specifically addressed the regulation services issue:

All bidders using transmission services of an interconnected system need to acquire and include in their bids regulation services so that the wind energy

delivered to BH/CO Electric is firm. The Company will provide the independent auditor the cost of providing regulation services for renewable energy delivered directly into the BH/CO Electric system. This cost will be added to the bids received for directly interconnected renewable energy deliveries in order to compare bids from providers who are not directly connected to the BH/CO Electric system.

Amended Exhibit No. FCS-1, at 4. Bidders with bids that did not deliver energy directly into the Black Hills system (e.g., Bidder A and Bidder C) were responsible for including the cost of regulation services in their bids. This was well-known to potential bidders; in fact, one of the comments in response to the IE's survey stated:

Obtaining transmission on the Tri-State system was a little concerning. *The greater concern is the BHE requirement that off-system projects provide regulation service from a local provider.* A better alternative would be to require a firm path along with a pseudo-tie to link the resource directly to the BHE balancing authority. This would eliminate off-system regulation needs.

See Exhibit B, at 2 (emphasis added). Bidder A and Bidder C failed to comply with this requirement. For bids connecting directly to the system, Black Hills explicitly agreed to impute a regulation services cost to these bids. Black Hills developed this adder in consultation with the IE.

Because Bidder A and Bidder C did not provide for regulation services in their bids, Black Hills imputed the cost of regulation service to these non-compliant bids for the purposes of comparing the relative economic values in its bid evaluation. Black Hills' imputation of the cost of regulation services to bids of Bidder A and Bidder C allowed the Company to infer a side-by-side comparison of the bids; however, the regulation service adder applied to the bids of Bidder A and Bidder C was never intended to be applied to the bids of developers using interconnected transmission systems.

Parties knew of this requirement and therefore Mr. Neil's assertion that Black Hills should have provided this to bidders in advance of bid submission is unfounded. Requiring

regulation services as part of the bid ensured that when bid prices were evaluated, they would include the cost of both transmission and regulation services regardless of whether the proposed project would connect directly or indirectly to the Black Hills system. In addition, with respect to conducting an impartial bidding process, it would have unquestionably disadvantaged Bidder B or any other potential direct-connected bidders by supplying cost information to those bidders who were not directly connected.

OCC also argues that “[t]he fact that the regulation charges that Black Hills assigned to Bidders A and C are nearly the same magnitude as their transmission charge should have thrown up red flags for everybody, particularly the IE.” *See* OCC Comments, at 4. The IE did not see a “red flag” and instead concluded that it “believes that the transmission portion of the bid evaluation was fair and uniformly applied to all bidders.” *See* IE Report, at 24.

Moreover, OCC’s comment appears to reflect a misunderstanding of the regulation services requirement. As discussed in the rebuttal testimony of Mr. Butcher, regulation service is the service needed by the intermittent generator to create a schedule of energy that is not intermittent and results in an hourly fixed schedule at the delivery point. This is separate and distinct from the transmission service costs necessary to ensure firm transmission. Therefore, transmission service and regulation service costs are separate and were properly broken out into two separately required aspects of the bid evaluation process. OCC concluded that “it appears that the approach used by Black Hills and the IE of charging twice for transmission is not correct.” *See* OCC Comments, at 6. There were no duplicative cost imputations in the evaluation process for the reasons described above. Moreover, these cost imputations should not have been necessary in the first place as the noncompliant nature of the bids required the imputation of regulation services to Bidder A and Bidder B to allow for a comparison of bids.

Finally, OCC raised concerns regarding its purported lack of access to the IE and “recommends that in the future, OCC have full access to the IE.” *See* OCC Comments, at 7. Black Hills believes the circumstances in this docket show that there were no issues with access to information in this docket. The OCC was one of the first non-bidding participants to register on the IE’s website. Mr. Neil attended the pre-bid meeting on May 8, 2013. The OCC submitted detailed questions and recommendations addressed to Black Hills and the IE through the RFP website. The OCC was provided direct access to the Bid Evaluation Folder on the RFP website. The OCC also propounded significant discovery regarding the solicitation and evaluation processes. Therefore, Black Hills believes the OCC was provided all requested access to the IE, and heard no such objections during the process.

d. Reply to CIEA’s Comments

CIEA begins its comments by stating “[a] fair interpretation of the IE Report leads CIEA to conclude that competition was stilted, at best, because of the perceived market advantage to BHE’s affiliate.” *See* CIEA Comments, at 2. The IE addressed this issue in its report, and there was nothing “stilted” about its conclusion:

We believe the Company conducted the RFP fairly and without bias towards or against any Bidder or type of generation acceptable under the terms of the 2013 Wind RFP. We are satisfied that Black Hills adhered to the established RFP protocols and consistently demonstrated its commitment to a fair and objective process.

...

From the outset the IE was aware of the challenges, perceived and real, for independent power producers due to the acceptability of bids for the Black Hills Affiliate. There exists a perception on the part of some that the result of the RFP was predetermined, and the Affiliate would be deemed the winner. *The IE accepted the challenge of making the RFP attractive to all potential Bidders, and ensuring that the process, the RFP terms and the evaluation method was devoid of bias for or against any Bidder. The IE believes this was achieved, as described herein.*

At the same time, the IE is unable to ignore the reality of the situation where one site – [Busch] Ranch – had an advantage because of the ability to directly connect to the Black Hills transmission system, while supplies from other sites would incur the cost of wheeling. As with real estate sales, location is everything when it comes to siting, and location was a significant factor with this RFP.

See IE Report, at 28-29 (emphasis added). While “stilted” competition may have been perceived by CIEA, the IE felt differently based upon its monitoring of each step of the RFP process.

CIEA is also critical of the fact that parent company Black Hills Corporation “would not allow the site to be opened to third-party bidders.” Black Hills cannot speak on behalf of its parent; however, CIEA appears to suggest that the IE or the Commission should be able to force Black Hills Corporation or any other private property owner to sell or lease its property to a third party. Forcing an open access regime to wind, or other, power generation sites is a rather precipitous step, bringing perverse economic incentives and Takings Clause concerns. When tried, mandatory access to others’ property, networks or facilities has rarely worked well. Not only does it destroy long-term incentives for *all* would-be generators to prudently seek and acquire sites, CIEA’s recommendation would invite the interminable regulatory fights over use of, access to and pricing of facilities. Presumably, IPPs would not want Black Hills or Black Hills IPP to have access to their respective sites.

CIEA also cites the lower capacity factor of Bidder B and offers arguments similar to that of Staff on the same issue. In response, Black Hills incorporates its statements above regarding capacity factors and how these factored into the bid evaluation process.

Next, CIEA raises concerns regarding the 30 MW size of the project. Black Hills has addressed this issue throughout this proceeding. In initiating this proceeding, Black Hills chose to solicit bids for up to 30 MW of wind-generated energy in compliance with relevant Commission Rules. As noted below, the Company also limited the planned acquisition to 30

MW in order to minimize the potential impact of this acquisition on the Company's now-pending 2013 Electric Resource Plan. The Company believes its approach is consistent with Commission direction in this docket; the Commission stated at Paragraph 11 of Decision No. C13-0582-I:

We note that our consideration of the Application cannot benefit from a recently completed review of an Electric Resource Plan (ERP) for Black Hills. While we recognize that the Commission's ERP Rules, 4 CCR 723-3-3650 and 723-3-3658, allow for the acquisition of resources of up to 30 MW outside of an ERP, we are concerned that the Company has again requested consideration of a resource acquisition outside of the fuller context provided by a complete ERP proceeding.

CIEA also discusses the preference for an LGIA and argues that "an IPP will not execute an LGIA in advance of being selected for negotiation in a solicitation process because defaulting on an LGIA can be detrimental to project development." *See* CIEA Comments, at 6. In Black Hills' experience, LGIAs for generators interconnecting to its transmission systems have been executed both prior to, and after, negotiation of a power purchase agreement (PPA). For example, the Black Hills IPP PPA for the Busch Ranch I project was negotiated starting on or about September 14, 2009 with the corresponding LGIA effective December 9, 2010, whereas the LGIA for Bidder B was executed on November 1, 2012. Black Hills disclosed its experience in discovery in this docket, and believes CIEA's bright-line statement on this rule does not accurately reflect activities in the marketplace. *See* Exhibit C. Black Hills agrees that not having an LGIA in place was a disadvantage but clearly disclosed that in the RFP.

Finally, similar to OCC, CIEA addresses regulation services and states that "the transmission analysis is confusing, applied imputations that do not reflect actual transmission costs and the regulation component may have added a doubling of transmission service costs to those already incorporated by bidders." *See* CIEA Comments, at 7. This purported double-counting did not occur, as explained above in response to the OCC's comments. Moreover, it is implausible that the bids could have included regulation services twice because both Bidder A

and Bidder C failed to include regulation services in their respective bids. For comparison purposes, Black Hills imputed the cost of regulation services to these noncompliant bids for that very reason.

Black Hills opposes CIEA's request for a "re-review" of the bids, particularly in light of the fact that only Bidder B complied with the terms of the RFP. As to CIEA's suggestion that the Commission review Black Hills IPP's participation in any competitive solicitation in consolidated Docket No. 13A-0445E, that issue (if entertained) would only be appropriate for a rulemaking and not adjudicatory proceedings like this docket and consolidated Docket No. 13A-0445E.

III. CONCLUSION

Because the Comments to the IE Report do not constitute evidence or opinions in this Docket, Black Hills has endeavored to confine this Reply to those Comments on the IE Report itself. Notably, none of the Commenters disagreed with the IE's Report to the extent it endorsed selection of the least-cost bid and validated the process described in the pre-bid Conference and embodies in the RFP. Each commenter, in its respective way, would have preferred a different outcome to that process. However, for that to happen, each commenter wanted a different set of criteria to apply, or for their preferred criteria to be weighted more heavily in the outcome. The time for those changes was during the development of the bid, RFP and solicitation processes, not after these processes have arrived at a winning bid. Although this competitive solicitation was conducted on an expedited basis, the Company explicitly allowed for comments regarding the Draft RFP and the evaluation processes. No alternatives were offered. After these Comments, the IE's Report still stands as the most definitive, complete and

unbiased review of this process – and that process has yielded a winning bid, which Black Hills believes the Commission should endorse.

Dated this 28th day of August, 2013.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on September 3, 2013 the foregoing **BLACK HILLS/COLORADO ELECTRIC UTILITY COMPANY, LP'S REPLY COMMENTS TO THE COMMENTS OF STAFF OF THE COMMISSION, OFFICE OF CONSUMER COUNSEL AND COLORADO INDEPENDENT ENERGY ASSOCIATION REGARDING THE REPORT OF THE INDEPENDENT EVALUATOR** was served on the following at the email address shown below:

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