

Decision No. C24-0428

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

PROCEEDING NO. 24A-0171E

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IN THE MATTER OF THE APPLICATION OF TRI-STATE GENERATION AND TRANSMISSION ASSOCIATION, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR THE CROSSPOINT DELIVERY POINT SUBSTATION PROJECT AND FOR SPECIFIC FINDINGS WITH RESPECT TO MAGNETIC FIELDS AND AUDIBLE NOISE ASSOCIATED WITH THE PROJECT.

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**COMMISSION DECISION GRANTING APPLICATION  
FOR THE CROSSPOINT DELIVERY POINT SUBSTATION  
PROJECT, AND FOR SPECIFIC FINDINGS WITH  
RESPECT TO MAGNETIC FIELDS AND AUDIBLE NOISE**

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Mailed Date: June 18, 2024

Adopted Date: May 15, 2024

**I. BY THE COMMISSION**

**A. Statement**

1. This Decision, uncontested under Rule 1403 of the Commission's Rules of Practice and Procedure, 4 *Code of Colorado Regulations* (CCR) 723-1, grants the Application for a Certificate of Public Convenience and Necessity (CPCN) for the CrossPoint Delivery Point Substation Project (the Project), filed on April 8, 2024, by Tri-State Generation and Transmission Association, Inc. (Tri-State or Company).

**B. Background**

2. Tri-State is a not-for-profit cooperative power supplier, and all rates and fees are regulated by the Federal Energy Regulatory Commission.

3. Pursuant to Commission Rule 3206(b)(I)<sup>1</sup> and in line with the directives from Decision C22-0438,<sup>2</sup> Tri-State is required to file an application with the Commission for a formal determination of a CPCN for the proposed Project, or to establish that no CPCN is required.

4. By the Application, Tri-State requests that the Commission issue a CPCN for the Project, which consists of a new 230/69 kV substation designed to enhance the Lincoln – Midway 230 kV transmission line while also seeking specific findings with respect to the reasonableness of magnetic fields and audible noise associated with the Project.

5. Situated in El-Paso County, roughly two miles northwest of Yoder, the Project will serve as an interconnection point for the 69 kV systems owned by Mountain View Electric Association (MVEA) and Southeast Colorado Power Association (SCPA), linking the systems to the 69 kV ring bus of the CrossPoint substation.

6. Specifications of the Project include installation of three 230 kV circuit breakers, four 69 kV circuit breakers, a 230-69 kV 58 MVA transformer with a load tap changer (LTC), breaker and transformer high and low side disconnect switches, metering equipment, protection equipment, electrical equipment enclosure and all associated bus work and foundations.

7. Both MVEA and SCPA, two of Tri-State's Member Systems, are experiencing substantial growth in El Paso County which has exceeded the current capacity of the transmission and distribution system under multiple conditions, necessitating an upgrade to enhance the reliability and adequacy of power supply.

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<sup>1</sup> Rule 3206(b)(I) provides that "[a]ll utilities and electric cooperative associations... shall be required to file a CPCN application for all new transmission facilities... designed at 230 kV or above, even if initially operated at a lower voltage..."

<sup>2</sup> Proceeding No. 22M-0005E.

8. Tri-State also included the testimony of several Company representatives in support of the project. As noted by the Company, the Project adds an additional delivery point to the area which will substantially increase load serving capability.<sup>3</sup>

9. The Company assessed the performance and cost expectations of the Project through a Delivery Point (DP) System Impact Study, which also evaluated an alternative—the Falcon-Paddock-Calhan 115 kV line—and found that the alternative was less efficient and more costly.<sup>4</sup>

10. Furthermore, the Company considered four alternative scenarios when evaluating possible solutions to address the immediate capacity need which included (i) a “no action alternative,” (ii) adding new generation, (ii) a non-wires alternative, and (iv) a transmission facilities upgrade.

11. The Project is scheduled to begin construction in 2026 and commence operation starting in 2027. The total estimated cost of the Project is estimated to be \$15.6 million.

12. Additionally, Tri-State requests a finding of reasonableness for the expected maximum magnetic field and noise levels of certain transmission facilities included in the application, in compliance with paragraphs 3206(e) and (f) of the Commission’s Rules Regulating Electric Utilities, 4 CCR 723-3.

13. Specifically, Tri-State requests that the Commission: (i) make a specific finding that the expected maximum level of magnetic fields that could be experienced under design conditions at the edge of the property boundaries, and at a location one meter above the ground, are 150 mG or less and do not need to be mitigated to a lower level; and (ii) make a specific finding

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<sup>3</sup> Direct Testimony of Company Witness Pink (HE 101) at 12:10-14.

<sup>4</sup> HE 104 Attachment DBG-2 SIS-21-MV02 Crosspoint SP SIS Report.

that the projected level of audible noise radiating beyond the property lines at a distance of 25 feet is reasonable under the circumstances and does not need to be mitigated to a lower level.

14. Tri-State used an independent engineer to assess the magnetic field and audible noise impacts, and provided modeling and analyses results for audible noise and magnetic fields.<sup>5</sup>

### **C. Findings and Conclusion**

15. Staff of the Colorado Public Utilities Commission (Staff) reviewed the CPCN Application and associated Attachments.

16. Staff found that the maximum magnetic field levels calculated by the Company are less than the value established in Commission Rule 3206(e), and therefore are deemed reasonable by rule and need not be mitigated to a lower level.

17. Staff found that the maximum noise levels calculated by the Company are less than the values established in Commission Rule 3206(f), and therefore are deemed reasonable by rule and need not be mitigated to a lower level.

18. The Commission provided notice of this Application on April 10, 2024.

19. No Petition to Intervene or Notice of Intervention has been filed, and thus the Application is uncontested and will be determined without a hearing and without further notice pursuant to Rule 4 CCR 723-1-1403 of the Commission's Rules of Practice and Procedure.

20. We find that the Application is in the public interest and should be granted.

## **II. ORDER**

### **A. The Commission Orders That:**

1. The Application filed by Tri-State Generation and Transmission Association, Inc. for a Certificate of Public Convenience and Necessity for the CrossPoint Delivery Point Substation

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<sup>5</sup> Direct Testimony of Company Witness Pearson (HE 105), Attachment RLP-2.

Project (the Project) and to make specific findings with respect to the reasonableness of magnetic fields and audible noise associated with the Project was deemed complete by operation of law on May 25, 2024, for purposes of § 40-6-109.5, C.R.S., and is granted consistent with the discussion above.

2. The 20-day period provided by § 40-6-114, C.R.S., within which to file an Application for Rehearing, Reargument, or Reconsideration shall begin on the first day after the effective date of this Decision.

3. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
May 15, 2024.**

(S E A L)



ATTEST: A TRUE COPY

*Rebecca E. White*

Rebecca E. White,  
Director

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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Commissioners