

Decision No. R24-0085-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 23A-0585E

IN THE MATTER OF THE APPLICATION OF TRI-STATE GENERATION AND TRANSMISSION ASSOCIATION, INC. FOR APPROVAL OF ITS 2023 ELECTRIC RESOURCE PLAN.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
AVIV SEGEV
CLARIFYING DECISION NO. R24-0080-I AND
ESTABLISHING ADDITIONAL PROCEDURES**

Mailed Date: February 8, 2024

I. STATEMENT

A. Procedural Background

1. On December 1, 2023, Tri-State Generation and Transmission Association, Inc. (Tri-State) filed an Application for Approval of its 2023 Electric Resource Plan (Application).
2. On January 5, 2024, the Unopposed Motion to Intervene and Request for Hearing of La Plata Electric Association, Inc. And Mountain Parks Electric, Inc. was jointly filed by La Plata Electrical Association, Inc. and Mountain Parks Electric, Inc. (collectively, LPEA/MPE).
3. On January 5, 2024, the Joint Motion to Intervene and Entry of Appearance of Colorado Solar and Storage Association and the Solar Energy Industries Association was filed by the Colorado Solar and Storage Association and the Solar Energy Industries Association (collectively, COSSA/SEIA).
4. On January 5, 2024, the Unopposed Joint Motion to Intervene, Entry of Appearance, and Response to Motion to Approve Procedural Schedule of Moffat County and the

City of Craig, Colorado was filed by Moffat County and the City of Craig, Colorado (collectively, Moffat/Craig).

5. By Decision No. R24-0080-I, issued February 6, 2024, the undersigned Administrative Law Judge (ALJ), among other things, addressed interventions, established procedures, and provided instructions regarding exhibits.

B. Clarification Regarding Interventions

6. Decision No. R24-0080-I correctly states in ¶ 37 on page 10 that the requests to Intervene by LPEA/MPE, COSSA/SEIA, and Moffat/Craig will be granted. However, the Ordering section in Decision No. R24-0080-I is silent as to the granting of these intervenors' intervention requests. Therefore, this Decision clarifies that the requests to intervene by LPEA/MPE, COSSA/SEIA, and Moffat/Craig are granted, as ordered below.

C. Deadline for Filing of Non-Testimonial Evidence

7. The procedural schedule adopted by Decision No. R24-0080-I does not include a deadline for the submission of non-testimonial exhibits. The ALJ finds and concludes that it is appropriate to add such deadline. Therefore, a deadline for the submission of non-testimonial exhibits will be established, as ordered below.

D. Hearing Exhibits

8. In Decision R24-0080-I, the ALJ instructed¹ the parties to use the following block numbers for hearing exhibits:

Party	Hearing Exhibit Nos.
Tri-State	100-199

¹ Such instructions were included in paragraph 48 of Decision No. R24-0080-I and Exhibit B thereto, but were omitted from the Ordering section of Decision No. R24-0080-I.

Party	Hearing Exhibit Nos.
Trial Staff of the Colorado Public Utilities Commission (Staff)	200-299
The Office of the Utility Consumer Advocate (UCA)	300-399
The Colorado Energy Office (CEO)	400-499
The Wyoming Cooperatives ²	500-599
The Colorado Cooperatives ³	600-699
The Conservation Coalition ⁴	700-799
White River Electric Association (WREA)	800-899
Western Resource Advocates (WRA)	900-999
The Office of Just Transition (OJT)	1000-1099
Colorado Independent Energy Association (CIEA)	1100-1199
Colorado Department of Public Health and Environment (CDPHE)	1200-1299
the Interwest Energy Alliance (Interwest)	1300-1399
LPEA/MPE	1400-1499
COSSA/SEIA	1500-1599
Moffat/Craig	1600-1699

9. To accommodate the use of more than 100 hearing exhibits per party, the parties will be assigned additional exhibit block numbers as ordered below.

² As defined in ¶ 3 on of Decision No. R24-0080-I.

³ As defined in ¶ 4 on of Decision No. R24-0080-I.

⁴ As defined in ¶ 5 on of Decision No. R24-0080-I.

II. ORDER**A. It is Ordered That:**

1. Consistent with the discussion above, the requests to Intervene by La Plata Electrical Association, Inc. and Mountain Parks Electric, Inc. (collectively, LPEA/MPE); the Colorado Solar and Storage Association and the Solar Energy Industries Association (collectively, COSSA/SEIA), and Moffat County and the City of Craig, Colorado (collectively, Moffat/Craig) are granted.

2. All parties must comply with the requirements in Attachments A and B to Decision No. R24-0080-I, which are incorporated as if fully set forth.

3. To efficiently organize exhibits that will be presented during the evidentiary hearing, all parties must use a unified numbering system for all hearing exhibits, consistent with the directions in Attachment B to Decision No. R24-0080-I, using hearing exhibits within their assigned exhibit number blocks. The parties are assigned the following hearing exhibit numbers:

Party	Hearing Exhibit Nos.
Tri-State Generation and Transmission Association, Inc.	100-199
Trial Staff of the Colorado Public Utilities Commission (Staff)	200-299
The Office of the Utility Consumer Advocate (UCA)	300-399
The Colorado Energy Office (CEO)	400-499
The Wyoming Cooperatives ⁵	500-599
The Colorado Cooperatives ⁶	600-699

⁵ See *supra*, footnote 2.

⁶ See *supra*, footnote 3.

Party	Hearing Exhibit Nos.
The Conservation Coalition ⁷	700-799
White River Electric Association (WREA)	800-899
Western Resource Advocates (WRA)	900-999
The Office of Just Transition (OJT)	1000-1099
Colorado Independent Energy Association (CIEA)	1100-1199
Colorado Department of Public Health and Environment (CDPHE)	1200-1299
the Interwest Energy Alliance (Interwest)	1300-1399
LPEA/MPE	1400-1499
COSSA/SEIA	1500-1599
Moffat/Craig	1600-1699

4. If Tri-State Generation and Transmission Association, Inc., Staff, UCA, CEO, the Wyoming Cooperatives, the Colorado Cooperatives, the Conservation Coalition, WREA, or, WRA require more exhibit numbers than assigned, they may use the same numerical sequence of exhibit numbers assigned to them, but in the 2000 range (*e.g.*, Tri-State would use hearing exhibit numbers 2100 to 2299; Staff will use hearing exhibit numbers 2200 to 2299, *etc.*). If OJT, CIEA, CDPHE, Interwest, LPEA/MPE, COSSA/SEIA, or Moffat/Craig require more exhibit numbers than assigned, they may use the same numerical sequence of exhibit numbers assigned to them, but in the 3000 range (*e.g.*, OJT will use hearing exhibit numbers 3000 to 3099; CIEA will use hearing exhibit numbers 3100 to 3199, *etc.*).

⁷ See *supra*, footnote 4.

5. By April 17, 2024, the parties must file and serve any non-testimonial hearing exhibits that they plan to offer into evidence (*i.e.*, hearing exhibits that are not subject to other, already-established deadlines).

6. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

AVIV SEGEV

Administrative Law Judge

ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Rebecca E. White".

Rebecca E. White,
Director