

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

PROCEEDING NO. 21A-0096E

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IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR COLORADO’S POWER PATHWAY 345 KV TRANSMISSION PROJECT AND ASSOCIATED FINDINGS REGARDING NOISE AND MAGNETIC FIELD REASONABLENESS.

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**INTERIM COMMISSION DECISION  
DEEMING APPLICATION COMPLETE,  
ADDRESSING INTERVENTIONS,  
ESTABLISHING THE PARTIES,  
GRANTING MOTION FOR *EN BANC* HEARING,  
REQUIRING FILING OF PROPOSED  
PROCEDURAL SCHEDULE, AND  
SCHEDULING PREHEARING CONFERENCE**

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Mailed Date: May 27, 2021  
Adopted Date: May 19, 2021

**TABLE OF CONTENTS**

I.	BY THE COMMISSION .....	2
	A. Statement .....	2
	B. Application .....	2
	C. Motion for <i>En Banc</i> Hearing .....	5
	D. Procedural Background .....	5
	E. Interventions .....	5
	F. Findings and Conclusions.....	13
	1. Completeness of Application .....	13
	2. Interventions and Parties to the Proceeding .....	14
	3. Initial Procedures.....	16
II.	ORDER.....	17
	A. It Is Ordered That: .....	17
	B. ADOPTED IN COMMISSIONERS’ WEEKLY MEETING May 19, 2021.....	20

**I. BY THE COMMISSION****A. Statement**

1. On March 2, 2021, Public Service Company of Colorado (Public Service or Company) filed its Verified Application (Application) for a Certificate of Public Convenience and Necessity for Colorado's Power Pathway 345 kV Transmission Project (Pathway Project), requesting that the Public Utilities Commission (Commission or PUC): (1) issue a Certificate of Public Convenience and Necessity (CPCN) for the Pathway Project; (2) find that the Pathway Project is reasonable and in the public interest, supported by the Company's cost estimate for the project; and (3) find that the associated noise and magnetic field levels that the Company estimates will result from the Pathway Project are reasonable and require no further mitigation or prudent avoidance measures. Concurrently with the filing of the Application, Public Service filed a motion requesting the Commission hear this matter *en banc*.

2. Through this Decision, we deem the Application complete, grant the Company's motion for an *en banc* hearing, establish the parties to this Proceeding, and direct the Company to confer with the parties and file a consensus procedural schedule by May 28, 2021. Additionally, we establish June 16, 2021 as the date for a pre-hearing conference.

**B. Application**

3. The Pathway Project consists of approximately 560 miles of 345 kV, double-circuit transmission lines with terminations at four existing substations and three new substations. Public Service explains that the Pathway Project will connect the Front Range to areas of northeastern, eastern, and southeastern Colorado.

4. In the Application, Public Service proposes that the northern terminus of the project will be at the existing Fort St. Vrain Substation in western Weld County; that the project will extend east to a new substation near the existing Pawnee Substation; then east/southeast to a new substation south of the City of Burlington; then south to a new substation northeast of the City of Lamar; then west to the planned Tundra Substation near the Comanche Generating Station; and then north to its terminus at the existing Harvest Mile substation located in Arapahoe County. The Pathway Project also involves expansion of the planned Tundra Substation and construction of three new substations.

5. Public Service also proposes in the Application that the Commission consider issuing a CPCN for the May Valley-Longhorn Extension. The May Valley-Longhorn Extension consists of approximately 90 miles of 345 kV double circuit transmission line from a new substation to be constructed at the southeastern corner of the Pathway Project near Lamar, Colorado, south to a new substation near Vilas, Colorado. If the Commission decides a CPCN should be granted for the May Valley-Longhorn Extension, Public Service requests the Commission find the extension project is reasonable and in the public interest, supported by the Company's cost estimate for the extension project, and that the associated magnetic field and noise levels are reasonable and require no further mitigation or prudent avoidance measures.

6. Public Service explains that the Pathway Project is required to provide a transmission "backbone" to carry electricity generated by wind and solar energy generation projects that the Company expects to bid into the solicitation it will issue in conjunction with its 2021 Electric Resource Plan (ERP) and Clean Energy Plan (CEP).<sup>1</sup> Public Service provides cost estimates of approximately \$1.7 billion for the Pathway Project and approximately \$250 million

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<sup>1</sup> The Company filed its 2021 ERP & CEP on March 31, 2021, in Proceeding No. 21A-0141E.

for the May Valley-Longhorn Extension.<sup>2</sup> Public Service states that it has built risk reserves into these cost estimates, and therefore it does not include a contingency in the Application.

7. In filing the Application in advance of its 2021 ERP and CEP, Public Service states that it is reversing the traditional timing of transmission CPCN applications *vis-à-vis* ERP proceedings. In the past, applications for transmission CPCNs would follow the conclusion of an ERP proceeding once the precise locations of new generation resources were known. The Company describes four reasons why it believes it is necessary for decisions on this CPCN application to come in advance of the Commission's Phase I order in its ongoing ERP Proceeding: 1) it now takes longer to develop and build new transmission than it takes to build the renewable resources the Company expects to compose the bulk of the resources it will procure through its ERP solicitation; 2) its existing transmission network is incapable of supporting the capacity of new renewable generating resources it will need to procure to achieve its emission reduction goals and comply with the 80 percent reduction requirement set by Senate Bill (SB) 19-236; 3) developers of renewable generators must have certainty about the timing and availability of transmission interconnection opportunities prior to submitting their bids; and 4) the Company is hoping to complete at least two segments of the Power Pathway project (as well as the May Valley-Longhorn extension (if the Commission so chooses) by 2025 so that interconnecting solar and wind projects could become operational and take advantage of federal tax credits that expire in 2025.

8. In its Application, Public Service stated that it is negotiating with other Colorado electric utilities to discuss a potential partnership for the Pathway Project that would require other utilities to file additional CPCN applications and represented that any additional CPCN

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<sup>2</sup> Application, at 14.

applications would be filed by April 16, 2021. The Company requested the Commission delay a determination on completeness until the filing of additional CPCN applications or until Public Service notifies the Commission that the partnership would not move forward.

**C. Motion for *En Banc* Hearing**

9. Concurrent with the filing of its Application on March 2, 2021, Public Service filed a motion requesting the Commission hear the matter *en banc*. In support of its motion, the Company explains that it views the Pathway Project as essential to its ability to achieve the carbon dioxide emission target established by SB 19-236. The Company also cites the significant investment proposed for this project, and the administrative efficiency of an *en banc* hearing (which would eliminate time needed for exceptions and response exceptions to a recommended decision) as additional reasons supporting an *en banc* hearing.

**D. Procedural Background**

10. By Decision No. C21-0152-I, issued March 15, 2021, the Commission established a 60-day notice and intervention period for this Proceeding ending May 10, 2021 and deferred the determination of the Application's completeness until the filing of any related CPCN applications on or before April 16, 2021.

11. On April 16, 2021, Public Service notified the Commission that while joint ownership of the Pathway Project remains a possibility in the future through appropriate filings, no additional CPCN applications for the Pathway Project will be filed at this time. The Company therefore requested that the Commission deem the Application complete.

**E. Interventions**

12. Trial Staff of the Commission (Staff), the Colorado Energy Office (CEO), and the Office of Consumer Counsel (OCC) filed timely notices of intervention by right. The OCC

represents the public interest and specific interests of residential, small business, and agricultural customers under § 40-6.5-104, C.R.S. CEO represents the Colorado Governor's Office, including advocating for policies that support statewide greenhouse gas emissions reductions, Colorado Governor Jared Polis' priorities for setting Colorado on a path to 100 percent renewable energy, and positioning Colorado as a leader in the clean energy economy. The OCC and Staff request a hearing and detail a number of issues they plan to address.

13. The following parties filed timely requests for permissive intervention: Holy Cross Electric Association Inc. (Holy Cross); Platte River Power Authority (PRPA); Black Hills Colorado Electric, LLC (BHE); Interwest Energy Alliance (Interwest); Intermountain Rural Electric Association (IREA); County of Pueblo; Colorado Energy Consumers Group (CEC); Tri-State Generation and Transmission Association, Inc. (Tri-State); Colorado Springs Utilities (CSU); Colorado Independent Energy Association (CIEA); Colorado Solar and Storage Association and Solar Energy Industries Association (jointly COSSA/SEIA); Mr. Larry Miloshevich; Rocky Mountain Environmental Labor Coalition and the Colorado Building and Construction Trades Council, AFL-CIO (jointly RMELC/CBCTC); LSP Transmission Holdings II, LLC and Western Energy Connection, LLC (jointly, LS Power); Western Resource Advocates (WRA); and Climax Molybdenum Company (Climax).

14. On May 17, 2021, Public Service filed a timely response in opposition to the motions to intervene filed by Mr. Miloshevich and LS Power. On May 18, 2021, LS Power filed a Motion for Leave to Reply to Public Service's response.

15. Holy Cross is a cooperative electric association that purchases a substantial portion of its wholesale electric power and energy from Public Service. Holy Cross states that under a Transmission Integration and Equalization Agreement (TIE Agreement), Holy Cross and

Public Service operate their transmission systems on an integrated basis. Holy Cross states it has a direct pecuniary and tangible interest in this Proceeding because under the TIE Agreement, Holy Cross is obligated to pay a share of the costs associated with the integrated transmission system.

16. PRPA is a municipal power entity formed to provide wholesale electric power and energy to its owner communities of Fort Collins, Longmont, Loveland, and Estes Park. PRPA states that it has a pecuniary and tangible interest in this Proceeding as a potential project partner and transmission customer of the Pathway Project. Additionally, PRPA states it could benefit from access to potential renewable resources in southern and eastern Colorado to support its decarbonization goals.

17. BHE states that it has pecuniary and tangible interests in this Proceeding as a potential partner to the Power Pathway project, and as a public utility with transmission needs that serve customers in Southern Colorado and with renewable and clean energy goals that will be impacted by the Power Pathway project.

18. IREA is a cooperative electric association and wholesale purchaser of electric power from Public Service, as well as a joint owner of the Comanche 3 facilities with Public Service and Holy Cross. IREA states that it owns and operates transmission facilities in concert with Public Service's transmission lines. It claims a unique and pecuniary and tangible interest in this Proceeding because a segment of the proposed Power Pathway project would run through IREA's service territory.

19. Tri-State states that its transmission system in Colorado is interconnected with Public Service's transmission system and that it is a network transmission service customer of Public Service. It claims a unique and pecuniary and tangible interest in this Proceeding because

the proposed project may affect Tri-State's operation of its own transmission system and its plans for use of the interconnection transmission system more generally. It explains that because various segments of the project may be located in the territories of its members, the project will impact its transmission planning.

20. CSU is municipal utility that serves residential, commercial, and industrial customers in the City of Colorado Springs. It is a potential partner to the development of the Pathway Project. It claims a substantial interest in the outcome of this Proceeding because the objectives of its Sustainable Energy Plan will be furthered by the Pathway Project's flexibility to site new carbon-free resources to serve its customers and to support the reliability and resiliency of its system. CSU states this Proceeding will substantially affect its customers' interests, which are not otherwise adequately represented.

21. CEC is an association of corporate entities that purchase electricity from Public Service and, as "some of PSCo's largest industrial customers and major economic engines in Colorado,"<sup>3</sup> CEC claims its members have a pecuniary and tangible interest in the outcome of this Proceeding that will have reliability and affordability rate impacts, given the scope, estimated cost, and potential reliability impacts of the proposed Pathway Project.

22. Climax operates the Climax and Henderson molybdenum mines and claims a unique pecuniary and tangible interest in this Proceeding as one of Public Service's largest electric customers. Climax states it is obligated to pay a significant share of the monthly Transmission Cost Adjustment, along with several other rate elements in Schedule TG, for its

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<sup>3</sup> CEC Motion to Permissively Intervene, filed May 26, 2021, at ¶ 9.



electric service. Additionally, it claims this Proceeding may directly and substantially affect the reliability of Climax's electric service necessary for its mining and milling operations.

23. Interwest is a trade association formed by "grid-scale renewable energy and storage project developers and equipment manufacturers working with the non-governmental conservation community to promote renewable energy."<sup>4</sup> Interwest claims a pecuniary and tangible interest on behalf of its members that are likely currently developing renewable energy projects in Colorado and which will likely respond to any Requests for Proposals issued in Public Service's 2021 ERP proceeding, and which will therefore depend on Public Service's transmission system. Additionally, Interwest claims the pecuniary and tangible interests of its non-governmental conservation organization members are affected because they have an interest in the Commission's efforts to achieve emission reductions in line with House Bill 19-1261.

24. CIEA is a trade association of Independent Power Producer (IPP) member companies and other entities whose mission is to foster transparent and competitive acquisitions of cost-effective generation resources for the benefit of its members and Colorado ratepayers. CIEA claims it has a pecuniary and tangible interest on behalf of its member IPPs which currently operate or seek to operate electric generating resources in Colorado, and which would benefit from an increase in competitive bidding of renewable resources due to an expansion of transmission infrastructure.

25. COSSA and SEIA are trade organizations representing solar and storage providers, and renewable energy users, and therefore claim a pecuniary and tangible interest in

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<sup>4</sup> Petition to Intervene of Interwest, filed April 23, 2021, at 5.

this Proceeding on behalf of its members' business interests. COSSA/SEIA explain that their members have a direct stake in ensuring sufficient transmission for clean energy development.

26. Pueblo County claims a unique and pecuniary and tangible interest in this Proceeding because portions of the Power Pathway project are sited in or adjacent to Pueblo County. Pueblo County states that many of its communities will be impacted by the proposed transmission lines and their associated benefits and detriments, including opportunities for economic development. Pueblo County also claims a pecuniary and tangible interest in the possibility of increased costs or benefits to BHE ratepayers, since BHE is negotiating with Public Service to be part owners in the project.

27. RMELC and CBCTC represent the interests of workers and unions and advocate on behalf of environmental and labor interests. RMELC/CBCTC state an interest in the interpretation and application of Best Value Employment Metrics (BVEM) rules in the context of the Application, and claim a specialized expertise in evaluating BVEM. RMELC/CBCTC claim a further interest in this Proceeding because certain of their member organizations represent employees engaged in the construction of facilities such as transmission facilities.

28. WRA is a nonprofit conservation organization and claims a tangible interest in protecting the environment through reduction of emissions from the electricity sector and advocating for transmission resources that are necessary to ensure a rapid reduction in emissions. WRA also states it wants to ensure that the siting of the Pathway Project, if approved, will minimize environmental impacts.

29. Mr. Miloshevich is a *pro se* movant seeking intervention, and he states he is an independent advocate on issues of energy policy and regulation with 20 years of experience as an atmospheric scientist and a degree in geophysical engineering. Mr. Miloshevich's Petition to

Intervene focuses on Advanced Transmission Technologies (ATT), which he defines as “a set of hardware and software technologies whose purpose is to increase the efficient use of transmission resources, generally in a cost-effective manner that also increases system reliability and resilience.”<sup>5</sup> Mr. Miloshevich asserts that Public Service’s Application inappropriately dismisses the applicability of ATT to the Pathway Project. Mr. Miloshevich states that ATT has substantial pecuniary and tangible implications, pointing to the economic and other system benefits of a more efficient transmission system, and he states that he is “similarly impacted by these same tangible interests.”<sup>6</sup> Mr. Miloshevich states that he “has a demonstrated commitment to the evaluation of ATT on the Colorado transmission system”<sup>7</sup> and argues that he is uniquely suited to advocate for ATT. He cites to his involvement with legislative efforts involving transmission and his involvement in related PUC proceedings, including participation in our transmission planning proceedings in which he submitted comments about ATT. Additionally, he highlights his engagement with both Public Service and the Colorado Coordinated Planning Group (CCPG) concerning ATT and states he has “submitted a formal stakeholder proposal aimed at developing a study to evaluate ATT on the Colorado transmission system and on Power Pathway.”<sup>8</sup> Mr. Miloshevich claims it is unlikely that another intervenor will adequately represent the ATT issue, and notes that the OCC’s notice of intervention does not indicate an intention to pursue ATT issues.

30. LSP Transmission Holdings II, LLC, is a transmission development holding company that, through affiliates, develops transmission projects as a non-incumbent transmission

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<sup>5</sup> Petition for Leave to Intervene of Larry Miloshevich, filed May 10, 2021, at 2.

<sup>6</sup> *Id.*, at 6.

<sup>7</sup> *Id.*, at 7.

<sup>8</sup> *Id.*

developer. An affiliate of LSP Transmission Holdings, Western Energy Connection, is pursuing development of transmission projects across the Western Interconnection. LS Power states that Western Energy Connection is a qualified Federal Energy Regulatory Commission Order 1000 entity for projects that come out of the WestConnect regional transmission planning process, and that the process to become a qualified entity for WestConnect projects was extensive and involved satisfying certain financial criteria. LS Power claims a pecuniary and tangible interest in this Proceeding because approval of the project as a utility self-build may foreclose business opportunities for LS Power in Colorado. It states that no other entity will seek to protect its business interests, and no other entity has the experience and perspective as a qualified entity in WestConnect.

31. In its May 17, 2021 response, Public Service opposes the intervention of Mr. Miloshevich. The Company argues that Mr. Miloshevich's request for permissive intervention fails to meet the requirements in Rule 1401(c), 4 *Code of Colorado Regulations* (CCR), 723-1 of the Commission's Rules of Practice and Procedure, because Mr. Miloshevich fails to show a pecuniary or tangible interest of his own. Public Service also argues that Mr. Miloshevich fails to demonstrate that his interests are unique or different from the OCC's. The Company states that "while Mr. Miloshevich does not expressly identify himself as a Public Service customer, Mr. Miloshevich's potential interests as a residential customer are the same as other customers represented by the OCC."<sup>9</sup> Public Service notes that the OCC has propounded discovery requests in this Proceeding regarding ATT, including non-wire alternatives to transmission and storage.

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<sup>9</sup> Public Service's Response to the Motions to Intervene of Larry Miloshevich and LS Power, filed May 17, 2021, at 6.

32. In its May 17, 2021 response, the Company also opposes the intervention of LS Power. Public Service contends that LS Power's request to intervene fails to meet Rule 1401(c) because its claimed business interests as a potential competitor are speculative and inchoate. Public Service states that LS Power's motion to intervene does not identify any existing publicly planned authority or facility that conflicts with or overlaps with the proposed Pathway Project. Additionally, the Company argues that LS Power's intervention is not appropriate given LS Power's intent to address issues that are either outside the scope of this Proceeding or that are adequately represented by other parties.

33. In its May 18, 2021 Motion for Leave Reply to Public Service's response, LS Power contends that Public Service's response includes mischaracterizations of its request for intervention and misleading application of the Commission's intervention standard. However, LS Power states it was unable to properly reply to Public Service prior to the May 19, 2021 Commissioners' Weekly Meeting. LS Power asks the Commission to decline to rule on its motion to intervene until Thursday, May 20, or such other time as the Commission deems appropriate for LS Power to file a reply.

## **F. Findings and Conclusions**

### **1. Completeness of Application**

34. The Commission finds that the Company's Application is compliant with all relevant rules governing submission of applications for new transmission resources. Accordingly, we deem the Application complete.

## 2. Interventions and Parties to the Proceeding

35. Pursuant to Rule 4 CCR 723-1-1401(b) no decision is required in response to appropriately filed notices of intervention by right. The notices of intervention of right are accepted. OCC, Staff, and CEO are parties to this Proceeding.

36. Rule 4 CCR 723-1-1401(c) of the Commission's Rules of Practice and Procedure sets forth the standard for permissive intervention and states in relevant part:

A motion to permissively intervene shall state the specific grounds relied upon for intervention; the claim or defense within the scope of the Commission's jurisdiction on which the requested intervention is based, including the specific interest that justifies intervention; and why the filer is positioned to represent that interest in a manner that will advance the just resolution of the proceeding. The motion must demonstrate that the subject proceeding may substantially affect the pecuniary or tangible interests of the movant (or those it may represent) and that the movant's interests would not otherwise be adequately represented.

37. Further, Rule 4 CCR 723-1-1401(c) requires that a movant who is a "residential consumer, agricultural consumer, or small business consumer" must discuss in the motion whether the distinct interest of the consumer is either not adequately represented by the OCC or inconsistent with other classes of consumers represented by the OCC. As set forth in §§ 40-6.5-104(1) and (2), C.R.S., the OCC has a statutory mandate to represent the interest of residential ratepayers.

38. We find that each unopposed entity seeking permissive intervention has sufficiently demonstrated that this Proceeding may substantially affect its pecuniary or tangible interests, as is required by Rule 1401(c). Each also has demonstrated that its interests would not otherwise be adequately represented. Therefore, we grant the unopposed requests for permissive intervention.

39. We also find that in these circumstances, LS Power has sufficiently demonstrated that its business interests in Colorado are pecuniary and tangible interests that may be substantially affected by this Proceeding, which would not otherwise be adequately represented. Therefore, we grant LS Power's request for permissive intervention and deny its Motion for Leave to Reply as moot.<sup>10</sup>

40. Unlike many *pro se* movants that have requested permissive intervention in our proceedings, Mr. Miloshevich has an engineering degree and 20 years of experience as an atmospheric scientist. His specific interest and credentials in ATT and transmission efficiency is evidenced by his past participation in Commission proceedings concerning transmission, legislative efforts, and utility stakeholder venues including the CCPG. Further, his level of interest in the technical issue of ATT does not appear to be shared by another party. Given Mr. Miloshevich's background and demonstrated level of interest in ATT that is not shared by another intervenor, we agree that, with regard to certain highly technical aspects of this Proceeding, his participation as a party may be beneficial. Therefore, in these circumstances, we exercise our discretion regarding permissive intervention and grant Mr. Miloshevich's motion to intervene.<sup>11</sup>

41. The parties in this Proceeding include: Public Service, Staff, the OCC, CEO, Holy Cross, PRPA, BHE, Interwest, IREA, County of Pueblo, CEC, Tri-State, CSU, CIEA, COSSA/SEIA, Mr. Larry Miloshevich, RMELC/CBCTC, LS Power, WRA, and Climax.

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<sup>10</sup> Commissioner John Gavan does not join the majority decision granting the intervention of LS Power, and would deny LS Power's request to intervene for failure to meet the requirements of Rule 1401(c).

<sup>11</sup> Commissioner Megan Gilman does not join the majority decision granting the intervention of Mr. Miloshevich, and would deny his request to intervene for failure to meet the requirements of Rule 1401(c).

### 3. Initial Procedures

42. The Commission finds that Public Service has raised compelling reasons to hear this Proceeding *en banc*. Additionally, it is clear that numerous important policy issues will be raised and debated in this Proceeding. Accordingly, the motion for an *en banc* hearing is granted.

43. In addition to issues parties will raise of their own accord in answer testimony, we seek discussion of the business case for the May Valley-Longhorn Extension including the feasibility of bids from generators interconnecting to the extension to justify the project in terms of overall cost effectiveness. Additionally, we seek discussion of the potential role for an “owner’s engineer” during project development and construction. We further seek discussion on whether the financial incentives to Public Service for project design and construction are appropriately aligned with the interests of ratepayers given the methods of cost recovery to be used by the Company.

44. The Commission hereby directs Public Service to confer with the parties to this Proceeding and to submit a consensus procedural schedule no later than May 28, 2021.

45. A remote prehearing conference, should one be needed, will be conducted on June 16, 2021 at 1:00 p.m.

46. The remote prehearing conference will be held using the web-hosted video conferencing service Zoom. To minimize the potential that the video conference may be disrupted by non-participants, the link and meeting ID or access code will be provided to the parties by e-mail before the prehearing conference, and the parties will be prohibited from distributing that information to anyone not participating in the prehearing conference.



47. Information and directions on using Zoom to attend the remote prehearing conference is provided in Attachment A to this Decision. The Commission strongly encourages the parties to test their ability to use Zoom before the scheduled start time.

## II. **ORDER**

### A. **It Is Ordered That:**

1. The Application for a Certificate of Public Convenience and Necessity for Colorado's Power Pathway 345 kV Transmission Project and Associated Findings Regarding Noise and Magnetic Field Reasonableness filed by Public Service Company of Colorado (Public Service) on March 2, 2021 is deemed complete for the purposes of § 40-6-109, C.R.S., consistent with the discussion above.

2. The Motion for the Commission to Hear the Matter *En Banc* filed by Public Service on March 2, 2021 is granted.

3. The Petition to Intervene filed by Holy Cross Electric Association Inc. (Holy Cross) on April 12, 2021 is granted.

4. The Motion to Intervene filed by Platte River Power Authority (PRPA) on April 15, 2021 is granted.

5. The Motion to Intervene filed by Black Hills Colorado Electric, LCC (BHE) on April 16, 2021 is granted.

6. The Petition to Intervene filed by Interwest Energy Alliance (Interwest) on April 23, 2021 is granted.

7. The Motion to Intervene filed by Intermountain Rural Electric Association (IREA) on April 26, 2021 is granted.

8. The Motion to Intervene and Entry of Appearance Petition to Intervene filed by the County of Pueblo on April 30, 2021 is granted.

9. The Motion to Intervene and Request for Hearing filed by Colorado Energy Consumers (CEC) on May 6, 2021 is granted.

10. The Motion to Intervene filed by Tri-State Generation and Transmission Association, Inc. (Tri-State) on May 7, 2021 is granted.

11. The Motion to Intervene filed by Colorado Springs Utilities (CSU) on May 10, 2021 is granted.

12. The Motion to Intervene and Entry of Appearance filed by the Colorado Independent Energy Association (CIEA) on May 10, 2021 is granted.

13. The Joint Motion to Intervene filed by the Colorado Solar and Storage Association (COSSA) and the Solar Energy Industries Association (SEIA) on May 10, 2021 is granted.

14. The Petition to Intervene filed by Larry Miloshevich on May 10, 2021 is granted.

15. The Joint Motion for Leave to Intervene filed by Rocky Mountain Environmental Labor Coalition (RMELC) and the Colorado Building and Construction Trades Council, AFL-CIO (CBCTC) on May 10, 2021 is granted.

16. The Motion to Intervene filed by LSP Transmission Holdings II, LLC and Western Energy Connection, LLC (together, LS Power) on May 10, 2021 is granted.

17. The Motion for Leave to Intervene filed by Western Resource Advocates (WRA) on May 10, 2021 is granted.

18. The Motion to Intervene filed by Climax Molybdenum Company (Climax) on May 10, 2021 is granted.

19. The parties in this matter are: Public Service, Staff of the Public Utilities Commission, the Colorado Office of Consumer Counsel, the Colorado Energy Office, Holy Cross, PRPA, BHE, Interwest, IREA, County of Pueblo, CEC, Tri-State, CSU, CIEA, COSSA/SEIA, Mr. Larry Miloshevich, RMELC/CBCTC, LS Power, WRA, and Climax.

20. The Motion for Leave to Reply, filed by LS Power on May 18, 2021, is denied as moot.

21. Consistent with the discussion above, Public Service shall confer with the parties to develop a proposed procedural schedule. Public Service shall file the proposed procedural schedule, including discovery procedures, no later than May 28, 2021.

22. A remote prehearing conference is scheduled as follows:

DATE: June 16, 2021

TIME: 1:00 p.m.

PLACE: By video conference using Zoom at a link to be provided to parties by email.

23. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
May 19, 2021.**

(S E A L)



ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads 'Doug Dean'.

Doug Dean,  
Director

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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JOHN GAVAN

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MEGAN M. GILMAN

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Commissioners