

**BEFORE THE PUBLIC UTILITIES COMMISSION**

**STATE OF COLORADO**

DOCKET NO. 07A-447E

---

**SUPPLEMENTAL AND CROSS-ANSWER TESTIMONY OF TOM PLANT  
SUBMITTED ON BEHALF OF THE GOVERNOR'S ENERGY OFFICE**

---

**IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY  
OF COLORADO FOR APPROVAL OF ITS 2007 COLORADO RESOURCE  
PLAN**

---

**Q. Will you please introduce yourself?**

A. My name is Tom Plant. I am the Director of the Colorado Governor's Energy Office (GEO).

**Q. Have you previously filed answer testimony in this docket?**

A. Yes I have.

**Q. What topical areas do you cover in your testimony?**

A. My testimony begins with a response to the Commission's invitation in Decision No. C08-0539 to comment on certain issues relevant to this docket. I present GEO's support for the Commission's recent Demand Side Management decision. I then describe the Governor's support for HB 08-1164 regarding central solar power. I then provide GEO's position on the need to conduct additional modeling and GEO's position on transmission expansion and the integration of renewable energy. I also provide the Governor's position on the retirement of the Arapahoe coal units and GEO's position on certain questions regarding competition, including the issue of the waiver of the competitive bidding requirement issues. I then offer support for the proposal to include greenhouse gas information on customers' bills, and conclude with GEO's position that

encourages the Commission to consider employing SB 07-22 as a means to help low-income customers.

**Q. Do you have comments on issues identified in Decision No C08-0539?**

A. Yes. GEO congratulates the Commission on its decision in the Demand Side Management (DSM) Docket No. 07A-420E. The decision makes it evident that the Commission shares GEO's perspective that Public Service Company of Colorado ("PSCo" or "the Company") has an exciting enhanced opportunity to profitably and effectively tap the low-cost and carbon-free DSM resource. We look forward to the opportunity to expand our partnership with the Company as GEO expands its offering of residential and commercial DSM programs. We anticipate that the Commission's stated DSM goals and incentives will be fully integrated into the Electric Resource Planning docket, resulting in economic benefits for the Company's customers. This will help the Company progress further down the path of reducing carbon emissions consistent with the Governor's Climate Action Plan and New Energy Economy goals, and will serve as an important long-term hedge against rising natural gas and other commodity prices affecting the cost of electric power. As time permits, GEO may provide additional comments on the DSM decision.

**Q. What are your comments on House Bill 08-1164?**

A. The measure provides legislative guidance to the Commission to give the fullest possible consideration to cost-effective implementation of new clean energy and energy-efficient technologies when considering its selection of generation resources for electric utilities. The legislation asks the Commission to bear in mind the beneficial contributions such technologies make to Colorado's energy security, economic prosperity, environmental protection, and insulation from fuel price increases.

Governor Ritter was pleased to sign HB 08-1164 into law at a ceremony conducted at the 8.2 MW photovoltaics solar power plant in Alamosa on June 2, 2008. He noted the large number of co-sponsors in the House and Senate that helped secure passage of the bill. The Governor referenced his concern that Colorado, our nation, and the world face a wholly unprecedented energy, economic, and environmental security dilemma. He referenced the important role that we in Colorado can play to actively address these inter-related challenges, and he described how HB 08-1164 goes a long way to head us in the right direction, as it is in line with his New Energy Economy goals.

Governor Ritter recognizes that the Commission fully appreciates the importance that the Administration attaches to developing clean energy and energy-efficient technologies as the Commission balances multiple responsibilities to electric and gas customers and the regulated utilities. The Governor is pleased to see HB 08-1164 strengthen the Commission's strong interest in solar energy as the Commission considers the likelihood of new environmental regulations and the risk of higher future costs associated with the emission of greenhouse gases.

The Governor strongly supports the full development of Colorado's vast solar energy resources. As the Commission and parties to this case know, a comprehensive mapping of our renewable resources and transmission assets was accomplished in late 2007 through the Report of the Senate Bill 91 Renewable Resource Generation Areas Task Force. That report found that the San Luis Valley and the area south and east of Pueblo, are prime locations for central solar power. Clearly, it is time to encourage solar power development in the San Luis Valley and other parts of the state to compliment the tremendous growth of wind power that we are experiencing. But for the industry to

invest, utilities must timely build the right-sized high voltage transmission line to deliver the bulk power to the market.

There are important messages to derive from HB 08-1164. The passage of this bill signals the legislature's and the Governor's intention that the Commission should take into consideration the risks of carbon emissions and the likelihood of carbon regulation when deciding energy issues. In light of carbon restrictions and increases in fuel cost, bold and innovative renewable energy projects such as concentrated solar power will serve as an important hedge. Central solar power will be a significant contribution to the New Energy Economy, will contribute to the Company's resource portfolio, and will contribute significantly toward meeting the goals of the Governor's Climate Action Plan. The GEO supports facilitating the development of these renewable energy projects in PSCo's resource plan. Accordingly, we support accelerating the acquisition of PSCo's two central solar power resource additions in PSCo's resource plan from what is now 2015 and 2016 to the years 2011 and 2012.

**Q. Do you have comments on modeling inputs?**

A. Yes I do. GEO recommends that the Commission take full advantage of the Independent Evaluator, extending wide latitude to that resource. GEO supports the incorporation of environmental externalities when conducting the modeling, and in order to determine whether results yield long-term alternatives to new conventional power plants, we support full modeling of all the alternative scenarios that might lead to optimization of existing gas resources, demand side management, new central solar power plants, expansion of wind, and expansion of transmission.

**Q. What are your comments relative to transmission issues?**

A. GEO understands that transmission issues are not directly at issue in this docket. However, as the Commission acknowledges in Decision No.C08-0539, transmission is critical to resource planning, renewable energy, and meeting the Governor's Climate Action Plan and New Energy Economy goals. The GEO looks forward to participating in future dockets addressing transmission issues, including the informal process initiated under the leadership of Commissioner Tarpey at the Commission's Open Meeting on June 4, 2008.

**Q. PSCo has proposed retiring two aging and polluting coal-fired units at its Arapahoe plant. Does the GEO have a position on that?**

A. Yes we do. GEO agrees with maintaining the retirement schedule as proposed by the Company.

**Q. Why do you support the early retirement of the coal units at the Arapahoe plant?**

A. On April 22, 2008, the Governor issued Executive Order D 004 08, a codification of the Climate Action Plan issued in November 2007. The Executive Order states that the Commission should seek from each utility within its jurisdiction an electric resource plan that includes an analysis that shows how the utility could achieve a 20 percent reduction in CO<sub>2</sub> emissions from 2005 levels by the year 2020. PSCo's Electric Resource Plan will allow the Company to achieve a 10% reduction by 2017. It is clear that removing or delaying the coal plant retirement component from the Electric Resource Plan would have an adverse impact on that carbon reduction figure. As mentioned in our answer testimony, we commend PSCo's Electric Resource Plan for moving in the direction of meeting the Climate Action Plan goals. A substantial

component towards meeting the goal would be achieved should the Commission approve the early retirement of the Arapahoe coal units.

**Q. What are your comments on the retirement of the coal units at the Arapahoe plant as it relates to health impacts?**

A. GEO asks the Commission to reject any suggestion that would delay the retirement of the coal units at the Arapahoe site. In support of our view, we ask the Commission to take special note of the answer testimonies of these parties: the Colorado Department of Public Health and Environment, Western Resources Advocates, and the City and County of Denver. The testimonies of these parties demonstrate that significant health and environmental benefits will be gained by retiring these units as early as possible. The Colorado Department of Public Health and Environment offers ample evidence that continued operation of the coal units at the Arapahoe site represents a threat to local public health. The supplemental answer testimony of Western Resource Advocates witness Dr. Leland B. Deck estimates the number of avoided cases of a series of health effects associated with retiring the Arapahoe (and Cameo) units. His testimony quantifies health effects ranging from premature mortality and development of a chronic and irreversible respiratory disease, to a series of less severe effects such as hospital admissions, work loss days, and increased frequency of asthma attacks. The City and County of Denver favors the retirement of the Arapahoe coal units, in part because the retirements will make it easier for the metropolitan area to meet federal air quality standards.

**Q. Do you see a direct link between the retirement of the coal units at the Arapahoe site and the Company's proposed repowering with a gas-fired generating station at the Arapahoe site?**

A. No. GEO believes that the retirement of the coal units and the re-powering at the Arapahoe site should be considered exclusive of one another. We would support repowering Arapahoe with gas-fired generation based only after the results of a careful and accurate resource assessment determined that course of action would be in the public interest. The resource assessment should, at a minimum, model the potential impact of a greatly increased DSM commitment, an evaluation of the potential use of existing gas-fired generation, and the deployment of new renewable resources.

**Q. Would you provide your comments regarding the timing of adding new gas generation, the cost trends, and how these may relate to the timing of the retirement of the coal units?**

A. Yes. My views are offered should the Commission determine that PSCo's portfolio requires new gas generation, irrespective of whether the new unit is located at the Arapahoe site or elsewhere on the Company's system. GEO asks the Commission to take note of PSCo's supplemental direct testimony filed on April 28, 2008 that details the dramatic escalation in construction cost estimates for the proposed new gas-fired advanced combined cycle electric generating station at the Arapahoe site. PSCo's supplemental testimony reports on the escalation that occurred between the time that the Company filed their Electric Resource Plan application in November 2007 to April 2008. Although the procurement and construction cost escalation rate is impossible for anyone to predict, GEO believes that the upward cost trend line for steel, concrete, labor, and other costs will likely continue. Accordingly, undue delays in constructing new gas-fired generation (should that be determined to be necessary following more modeling) will most likely increase the ultimate cost. However, this should be seen in a separate light from the retirement of the coal units. The retirement of the coal units and the re-

powering and re-construction of a replacement resource may not be simultaneously necessary. Follow-up modeling of the impact of increased investment in demand side management and the adopted schedule of integration of further renewables will inform a prudent schedule for re-powering, including the associated costs of construction. The sooner a commitment is made to retire the coal units, the better it will be for PSCo's customers.

**Q. Would you comment on gas-fired generation and wind integration?**

A. Yes. My views are offered in the context of the Commission's consideration of whether new gas-fired generation additions are recommended to be added to the Company's electric resource portfolio. Colorado has learned, through the addition of over 1,000 MW of wind in the past few years, that wind generation provides important benefits to the goals of carbon reduction and water consumption reduction. In addition, wind generation is poised to serve an ever-increasing important long-run value as a hedge against future natural gas price escalation. Gas-fired electric power generation is acknowledged as a key partner in wind development, as gas-fired generation facilitates a more stable cost of electricity by providing the wind integration service. Due to the ability for gas plants to ramp up and down at a rate and capability far better than that of coal units, gas plants serve an essential role in dispatching power to help integrate wind power onto the grid. The benefit of gas-firming wind should be credited as an important influence when the Company's system is modeled, and when the Commission decides whether to approve building or buying gas-fired generation at the Arapahoe site or elsewhere on the system.

**Q. PSCo proposes to waive the Commission's competitive bidding requirements for new gas-fired generation at the Arapahoe site. The Colorado Independent**

**Energy Association (CIEA) opposes this request as antithetical to the Commission's policy of bidding for new resources. Do you have comments on this?**

A. Yes I do. As is fully acknowledged by the parties and the Commission in this docket, there are substantial and difficult arguments offered in the pleadings by PSCo and the CIEA, in particular, on the competition topic. In my answer testimony, I stated that GEO would offer thoughts on competition in my cross answer testimony.

The Governor recognizes that competitive bidding has worked well in Colorado, and continuation of that practice holds great promise for the state. He also acknowledges the arguments that PSCo makes, namely that the opportunity to add fixed assets to the Company's portfolio will improve their financial performance. There are two fundamental outcomes the Governor supports in the deliberation over this issue: that PSCo be able to pursue their schedule of coal plant retirements which will lead to a cleaner and more environmentally sustainable energy mix; and that the bill payers be protected from unnecessary increases in electricity rates without a concurrent increase in the value and nature of the electric resource.

Of course, there are exceptions to the competitive bidding requirement (4 CCR 723-3, § 3611), and the Commission may allow alternate methods of acquisition upon a showing that certain criteria, such as that the method is in the public interest, are met (4 CCR 723-3, § 3610.b). The GEO will not offer a fixed position in this matter. We leave it to the Commission to craft a policy to balance these competing issues while achieving the objectives stated above.

If the Commission accepts the implication that PSCo cannot afford to retire the Arapahoe coal units unless it adds gas-fired generation at the site to its rate-base, then, to the extent that it would facilitate retirement of the coal units, a strong argument can be

made that, for the reasons mentioned above and in GEO's answer testimony, waiving the requirement here would satisfy the public interest criterion.

We also understand and accept the CIEA's assertion that its members are positioned to provide clean, cost-effective electric resources. We do not want the Commission to jeopardize continuation of the strong record of independent power producer accomplishments in Colorado.

As a way to work towards a middle ground, one possible approach may be to make a distinction between competitive acquisition of renewable resources and the Company's approach towards acquiring fossil fuel resources. This distinction may provide PSCo with the incentive to retire aging fossil fuel sources but allow the independent power producers to maximize their presence in the renewable resources market. Another alternative may be to establish a system for non-renewable resources similar to that established for renewable resources by HB 07-1281. In that instance, up to 25% of renewable power generation may bypass competitive bidding requirements and up to 50% when the proposal would provide significant economic development, employment, energy security, or other benefits to the state of Colorado. The Commission might consider the benefit of further clarification of a policy associated with this existing statutory language. In other words, the Commission may want to establish a certain percentage as the maximum non-renewable resources that PSCo may acquire without competitive bidding.

**Q. Do you have a comment on OCC witness Shafer's proposal to include greenhouse gas information on customers' bills?**

A. Yes. GEO supports this proposal. Should PSCo provide greenhouse gas information on their customers' utility bills, it would help the customers understand the

climate consequences of their electric and natural gas consumption. Most utility customers are interested in doing their part in combating climate change, and explicit information showing the link between their energy consumption and greenhouse gases will help them do their part.

**Q. Do you have comments on the question of tiered rates for low income customers?**

A. Yes. As any utility system seeks to provide the best resources to meet the demands of their customers while providing reliable service, there are costs which are spread over the entire bill-paying public. The combination of demand side management, conservation and load management, renewable energy deployment, distributed generation deployment, dynamic pricing, new incentives that align the utilities profitability with the goals of the New Energy Economy, and expansion of high voltage transmission will go a long distance to protect Colorado electric customers in the short run, and particularly in the long run.

The Commission has the opportunity to exercise an important new tool to increase the measure of customer protection through SB 07-22. That statute allows the Commission to “approve any rate, charge, service, classification, or facility of a gas or electric utility that makes or grants a reasonable preference or advantage to low-income customers, and the implementation of such commission-approved rate, charge, service, classification, or facility by a public utility shall not be deemed to subject any person or corporation to any prejudice, disadvantage, or undue discrimination.”

Should the Commission elect to mitigate any potential rate impact on low-income populations due to early retirement of the coal units at the Arapahoe plant, as well as the incorporation of DSM, gas and renewable resources, the Commission has the option to

employ SB 07-22 as an appropriate mechanism. The GEO would support the exercise of this important Commission authority should the Commission believe such action is warranted.

**Q. Do you have concluding statements?**

A. Yes I do. GEO appreciates the opportunity to present our answer testimony in this docket. We are pleased with the Commission's recent DSM decision, and we encourage the Commission to expedite the development of central solar power in Colorado. We encourage the Commission to order more detailed modeling, in part to determine optimum answers regarding the timing, scale, and location of gas-fired generating resources. We are encouraged by the Commission's intent to continue convening stakeholders interested in transmission expansion, and urge the Commission to approve PSCo's proposal to retire aging coal-fired units as a necessary action to protect public health and help achieve the Governor's Climate Action Plan goals. We encourage the Commission to craft an effective compromise that balances the needs of the Company and independent power producers with respect to the competition issues, as well as encouraging the Commission to direct the Company to place greenhouse gas information on their customers' bills. Finally, we encourage the adoption of tiered rates to assist low-income customers.

**Q. Does this conclude your testimony?**

A. Yes it does.

CERTIFICATE OF SERVICE

I hereby certify that on this, the 9<sup>th</sup> day of June, 2008, the original and seven copies of the foregoing **SUPPLEMENTAL AND CROSS-ANSWER TESTIMONY OF TOM PLANT ON BEHALF OF THE GOVERNOR'S ENERGY OFFICE** was served via interoffice mail on:

Doug Dean, Director  
Colorado Public Utilities Commission  
1560 Broadway, Suite 250  
Denver, CO 80202

and a copy was sent to the following via e-mail.

[ginahardin@msn.com](mailto:ginahardin@msn.com)  
[acollins@rcalaw.com](mailto:acollins@rcalaw.com)  
[AfflerbaughK@bouldercolorado.gov](mailto:AfflerbaughK@bouldercolorado.gov)  
[ann.e.hopfenbeck@xcelenergy.com](mailto:ann.e.hopfenbeck@xcelenergy.com)  
[Anne.botterud@state.co.us](mailto:Anne.botterud@state.co.us)  
[bethhart@hughes.net](mailto:bethhart@hughes.net)  
[Bill.harris@dora.state.co.us](mailto:Bill.harris@dora.state.co.us)  
[Bob.bergman@dora.state.co.us](mailto:Bob.bergman@dora.state.co.us)  
[Bridget.mcgee-stiles@dora.state.co.us](mailto:Bridget.mcgee-stiles@dora.state.co.us)  
[charles.solomon@ci.denver.co.us](mailto:charles.solomon@ci.denver.co.us)  
[cheri.mitchell@dora.state.co.us](mailto:cheri.mitchell@dora.state.co.us)  
[chollum@msn.com](mailto:chollum@msn.com)  
[Chris.irby@state.co.us](mailto:Chris.irby@state.co.us)  
[covert@workinglandscapes.com](mailto:covert@workinglandscapes.com)  
[cox@interwest.org](mailto:cox@interwest.org)  
[dave.nocera@state.co.us](mailto:dave.nocera@state.co.us)  
[david.beckett@state.co.us](mailto:david.beckett@state.co.us)  
[dhennen@lspower.com](mailto:dhennen@lspower.com)  
[dspector@kaplankirsch.com](mailto:dspector@kaplankirsch.com)  
[dspiller@rcalaw.com](mailto:dspiller@rcalaw.com)  
[Eric@namaste.com](mailto:Eric@namaste.com)  
[eugene.camp@dora.state.co.us](mailto:eugene.camp@dora.state.co.us)  
[gary@nakarado.com](mailto:gary@nakarado.com)  
[harrisons@bouldercolorado.gov](mailto:harrisons@bouldercolorado.gov)  
[frank.shaffer@dora.state.co.us](mailto:frank.shaffer@dora.state.co.us)  
[harry.didomenico@dora.state.co.us](mailto:harry.didomenico@dora.state.co.us)  
[Inez.Dominquez@dora.state.co.us](mailto:Inez.Dominquez@dora.state.co.us)  
[unfi@cosea.net](mailto:unfi@cosea.net)  
[jcantrick@duckerlaw.com](mailto:jcantrick@duckerlaw.com)  
[jeff.ackerman@dora.state.co.us](mailto:jeff.ackerman@dora.state.co.us)  
[Jeff.hein@dora.state.co.us](mailto:Jeff.hein@dora.state.co.us)  
[jgplaw@qwest.net](mailto:jgplaw@qwest.net)  
[jnielsen@westernresources.org](mailto:jnielsen@westernresources.org)  
[john.reasoner@dora.state.co.us](mailto:john.reasoner@dora.state.co.us)

[john.trogonoski@dora.state.co.us](mailto:john.trogonoski@dora.state.co.us)  
[jsww@state.co.us](mailto:jsww@state.co.us)  
[Judith.matlock@dgslaw.com](mailto:Judith.matlock@dgslaw.com)  
[Julie.haugen@dora.state.co.us](mailto:Julie.haugen@dora.state.co.us)  
[jvaninetti@trans-elect.com](mailto:jvaninetti@trans-elect.com)  
[karen.t.hyde@xcelenergy.com](mailto:karen.t.hyde@xcelenergy.com);  
[karlk@dietzedavis.com](mailto:karlk@dietzedavis.com)  
[karl.kunzie@dora.state.co.us](mailto:karl.kunzie@dora.state.co.us)  
[kentsinger@aol.com](mailto:kentsinger@aol.com)  
[KoehnJ@bouldercolorado.gov](mailto:KoehnJ@bouldercolorado.gov)  
[KORiley@hollandhart.com](mailto:KORiley@hollandhart.com)  
[kreif@tristategt.org](mailto:kreif@tristategt.org)  
[lwillick@lspower.com](mailto:lwillick@lspower.com)  
[Larry.Shiao@dora.state.co.us](mailto:Larry.Shiao@dora.state.co.us)  
[lglustrom@gmail.com](mailto:lglustrom@gmail.com)  
[loris@intermountain-rea.com](mailto:loris@intermountain-rea.com)  
[maurice.arnall@aquila.com](mailto:maurice.arnall@aquila.com)  
[mbrandt@duffordbrown.com](mailto:mbrandt@duffordbrown.com)  
[mdavidson@duffordbrown.com](mailto:mdavidson@duffordbrown.com)  
[mdetsky@blglaw.com](mailto:mdetsky@blglaw.com)  
[Melissa@co-legal.com](mailto:Melissa@co-legal.com)  
[Mike.hydock@dora.state.co.us](mailto:Mike.hydock@dora.state.co.us)  
[morey.wolfson@state.co.us](mailto:morey.wolfson@state.co.us)  
[mvalentine@rcalaw.com](mailto:mvalentine@rcalaw.com)  
[nancylaplaca@yahoo.com](mailto:nancylaplaca@yahoo.com)  
[nea.brown@hro.com](mailto:nea.brown@hro.com)  
[ngmuller@aol.com](mailto:ngmuller@aol.com)  
[Paul.Gomez@state.co.us](mailto:Paul.Gomez@state.co.us)  
[Paula.connelly@xcelenergy.com](mailto:Paula.connelly@xcelenergy.com)  
[Pb.schechter@dora.state.co.us](mailto:Pb.schechter@dora.state.co.us)  
[pmooney@smpc.com](mailto:pmooney@smpc.com)  
[ppenn@hollandhart.com](mailto:ppenn@hollandhart.com)  
[RAKashiwa@hollandhart.com](mailto:RAKashiwa@hollandhart.com)  
[Rfanyo@duffordbrown.com](mailto:Rfanyo@duffordbrown.com)  
[Richard.mignogna@dora.state.co.us](mailto:Richard.mignogna@dora.state.co.us)  
[rich@co-legal.com](mailto:rich@co-legal.com)  
[rlllehr@msn.com](mailto:rlllehr@msn.com)  
[Robert.skinner@dora.state.co.us](mailto:Robert.skinner@dora.state.co.us)  
[Ronald.davis@dora.state.co.us](mailto:Ronald.davis@dora.state.co.us)  
[rongretlarson@comcast.net](mailto:rongretlarson@comcast.net)  
[rpomeroy@hollandhart.com](mailto:rpomeroy@hollandhart.com)  
[rstarr8553@aol.com](mailto:rstarr8553@aol.com)  
[sandi.kahl@dora.state.co.us](mailto:sandi.kahl@dora.state.co.us)  
[scott.england@dora.state.co.us](mailto:scott.england@dora.state.co.us)  
[sdenman@abelband.com](mailto:sdenman@abelband.com)  
[sharon.podein@dora.state.co.us](mailto:sharon.podein@dora.state.co.us)  
[smichel@westernresources.org](mailto:smichel@westernresources.org)  
[Stephen.southwick@state.co.us](mailto:Stephen.southwick@state.co.us)

[ssanderson@coloradomining.org](mailto:ssanderson@coloradomining.org)  
[stephen.brown@dora.state.co.us](mailto:stephen.brown@dora.state.co.us)  
[steve@wyia.org](mailto:steve@wyia.org)  
[tdougherty@rothberger.com](mailto:tdougherty@rothberger.com)  
[Toan.nguyen@ppmenergy.com](mailto:Toan.nguyen@ppmenergy.com)  
[tnelson@hollandhart.com](mailto:tnelson@hollandhart.com)  
[todonnell@hollandhart.com](mailto:todonnell@hollandhart.com)  
[tohmacher@bh-corp.com](mailto:tohmacher@bh-corp.com)  
[tomkonrad@gmail.com](mailto:tomkonrad@gmail.com)  
[vanpelts@bouldercolorado.gov](mailto:vanpelts@bouldercolorado.gov)  
[VLOen@Hollandhart.com](mailto:VLOen@Hollandhart.com)  
[William.dalton@dora.state.co.us](mailto:William.dalton@dora.state.co.us)  
[melvena.rhetta-fair@state.co.us](mailto:melvena.rhetta-fair@state.co.us)  
[penny@westernresources.org](mailto:penny@westernresources.org)  
[KBoehm@bkllawfirm.com](mailto:KBoehm@bkllawfirm.com)  
[somarl@msn.com](mailto:somarl@msn.com)

*/s/ Debby Krevitsky*\_\_\_\_\_