



23 March 2009

Hon. James Tarpey, Commissioner
Colorado Public Utilities Commission
1560 Broadway, Suite 250
Denver, Colorado 80202

Dear Commissioner Tarpey:

Interwest appreciates the opportunity to comment. Our comments are shown in redline format in the attached document.

The Commission should think about whether different classes and processes for transmission dockets make any sense. What's the point?

In transmission planning, the problem is information. The future is inherently uncertain, but planning for it must be done. Different versions of the future might call for different transmission plans, but they must be laid. Look for the routes that are common to most futures, build them, plan again.

Planning transmission to be in service in advance of need where resources are remote is the challenge put in SB07-100. Only a more thorough going, longer term, timely, and regional perspective for planning can meet that challenge. The Commission can look to CAPX2020 in Minnesota for a starting point.

The PUC's rules should encourage early resolution of issues, then streamline hearing procedures and shorten commission processing time. The Commission's ERP rules that have evolved work: the utility gets a presumption in exchange for early planning and investing in approved work. Why not take the same approach with transmission?

More fundamentally, should transmission rules be amended into the ERP process? Generation plans should animate transmission solutions, not the reverse. The Commission should be certain that it is amending the right rules. If it wants transmission to serve ERP generation choices, why not work these rules into the ERP? Should ERP generation portfolio acquisition time frames drive transmission planning and investment?

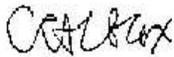
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The Commission's rules should define energy resource zones, and limit to them to SB91-defined Generation Development Areas (GDAs). If much larger, zones simplify transmission solutions, but multiply long generator leads. Long generator leads are not necessarily the ideal long-term system solutions. The Commission's rules should also define deliver "to" as "touching or located at or in," rather than "toward," "in the vicinity of," or, especially, "later."

To move transmission forward rapidly, we will all need to focus on critical issues, respect the resources and responsibilities of others, and avoid unnecessary detail. Simplify.

Additional comments, responses, and explanations are contained in the attached. Ron Lehr is our designated representative in the March 30th workshop, per your request in Decision No. R09-0269-I that interested persons identify participants in this workshop.

Sincerely,



Craig Cox
Executive Director



Ron Lehr
Attorney

Attachment

QUESTIONS FOR MARCH 30, 2009 WORKSHOP

Docket No. 08I-227E

Think about whether different classes and processes for transmission dockets make any sense. What's the point?

In transmission planning, the problem is information. The future is inherently uncertain, but, planning for it must be done. Different versions of the future might call for different transmission plans, but they must be laid. Look for the routes that are common to most futures, build them, plan again.

The PUC's rules should encourage early resolution of issues, then streamline hearing procedures and shorten commission processing time. The Commission's ERP rules that have evolved work: the utility gets a presumption in exchange for early planning and investing in approved work. Why not take the same approach with transmission?

Should transmission rules be amended into the ERP process? Generation plans should animate transmission solutions, not the other way round. We want to be sure we're amending the right rules. If we want transmission to serve ERP generation choices, why not work these rules into the ERP and start with the time frames there?

The Commission's rules should define energy resource zones, and limit to ten GDAs. Long generator leads are necessarily the ideal long term system solutions.

The Commission's rules should also define deliver "to" as "touching or located at or in" rather than "toward" "in the vicinity of" or, especially, "later"

The Commission receives several types of applications pertaining to transmission facilities. The applications generally fall within one of the following categories. The Hearing Commissioner is interested in examining the process used by the Commission when it considers each category of transmission application. The Hearing Commissioner is interested in the question of whether it is possible to develop one or more administrative processes to shorten the time necessary for Commission review of, and decision on, transmission applications.

PLEASE NOTE: In the following, different categories of transmission-related applications are identified and discussed, and questions are asked as to each category. To allow the Hearing Commissioner, the participants in the workshop, and others to understand whether (and the extent to which) a response to a question may change if the question is asked in the context of different categories, it is important that you respond to the questions asked with respect to each category, even if the questions may seem or may be duplicative.

1. **Process for applications for transmission facilities that are "in the ordinary course of business."**

a. What is the definition of "in the ordinary course of business" in the context of transmission facilities? Distribution lines, upgrades, maintenance, below some dollar amount--\$500,000? Does the definition apply to *both* new transmission facilities *and* modifications of existing transmission facilities? Yes If the same definition does not apply to both, then what is the definition of "in the ordinary course of business" in the context of a new transmission facility? Decide by exception for 119kv and above, on application by utility If the same definition does not apply to both, then what is the definition of "in the ordinary course of business" in the context of modifications of existing transmission facilities? In considering these questions, review and comment on Rule 4 *Code of Colorado Regulations* (CCR) 723-3-3206(b) (regarding modification of existing transmission facilities). Please explain your responses. Small changes are less expensive and faster to do, less concern about consumer impacts

b. Should the Commission develop and put in its rules specific criteria to be used to determine when a transmission facility is "in the ordinary course of business"? yes If it should do so, then what should the criteria be? Not distribution, 119kv and above, on utility application for exemption If it should not do so, then why not? Please explain your responses.

c. Assume that the Commission develops criteria for "in the ordinary course of business" and creates a *rebuttable presumption* that a transmission project is in the ordinary course of business if it meets the criteria. This would put the application on a fast track to resolution. Groups of projects in a single docket, run the docket once or twice a year. As a concept and for purposes of discussion, the *fast track process* could be: (1) the utility would file an application that contains the information necessary to establish that the project meets the criteria; (2) the Commission would give notice of the application and would allow a *shortened* (e.g., 10 or 14 days) intervention period; (3) an intervenor would need to provide specific information that the project does not meet the rebuttable presumption criteria (thus, an intervention simply stating opposition would not suffice); and (4) if the Commission did not issue, within 45 days make it 25 of the close of the intervention period, an order setting the application for hearing, the application would be deemed granted because the project is in the ordinary course of business. A transmission project built in the ordinary course of business would have to meet, if applicable, (1) the prudent avoidance rules for electro-magnetic fields found in Rules 4 CCR 723-3-3102(d) and 723-3-3206(d) *and* (2) in residential areas, the noise standard established in § 25-12-103(1), C.R.S., measured 25 feet from each edge of the transmission corridor right of way (ROW).

(1) If you agree with this concept, then explain why you agree. Its past time to move transmission forward rapidly, we care more about the big projects than the small ones. If you disagree with this concept, then explain why you disagree. If you have suggestions, clarifications, or modifications to the concept, then provide them. Please explain your responses. The commission has to impose more discipline on its own time frames for handling these matters, along with imposing shorter times on parties.

(2) Should the rebuttable presumption process apply only to modifications of existing transmission facilities? No. apply only to new transmission facilities? Yes. apply to *both* new transmission facilities *and* modifications of existing transmission facilities? Please explain your response. If criteria can be set up, they ought to apply to all projects. For the purposes of regulating the important, high dollar impact projects, it doesn't matter if they are new or modifications.

d. With respect to the information that Commission rules require to be filed with an application, (1) is too much information required no; (2) is the amount of information required sufficient no; or (3) is too little information required yes? Please explain your response. There need to be links to generation resource plans so transmission proposals can be judged on the net of costs, taking transmission costs and generation benefits together. Separating them doesn't give consumers what they need—least cost, long term solutions. Securing lower generation costs is the dog here, transmission is just the tail.

(1) If too much information is required, then what information should be eliminated? Please explain your response. Setting up the applications with full information when the process starts is the prerequisite or condition for rapid processing.

(2) If too little information is required, then what additional information should be required to be filed? Please explain your response. See above

2. **Process for CPCN applications filed pursuant to § 40-2-126(4), C.R.S.**

Section 40-2-126(4), C.R.S., provides that the Commission must decide an application for a Certificate of Public Convenience and Necessity (CPCN) for transmission facilities within 180 days of the filing of the application *if* the application is filed to obtain a CPCN for § 40-2-126(2)(b), C.R.S., transmission facilities. Section 40-2-126(2)(b), C.R.S., transmission facilities are new or expanded "transmission facilities necessary to deliver electric power consistent with the timing of the development of beneficial energy resources located in or near" energy resource zones.

a. The term beneficial energy resources is not defined in § 40-2-126, C.R.S. What definition do you propose for beneficial energy resources, as that term is used in the statute? Please explain your response. Lower costs for consumers, diversifies the generation mix to handle costs, risks, and liabilities of fossil fuels which are over abundant in the current mix; meeting rising renewable energy standards over time. Include "non-utility" benefits in the definition. Open up options for competition and competitive results to drive costs down. Include 123 resources, where resources are location constrained and remote from loads.

b. Should Commission rules contain a definition of beneficial energy resources? Yes If there should be such a definition, then what should the definition be?

See above If there should not be such a definition, then why not? Please explain your responses.

c. Describe the type(s) of transmission facilities that come within the scope of §§ 40-2-126(2)(b) “necessary to deliver power in timing for beneficial resources” remember SB100 was companion legislation to increased minimum RE standards, so wind and solar are the prime resources and 40-2-126(4), C.R.S. The intent this section was to speed approvals. It doesn’t set up a different class of transmission projects. Its taken from Texas legislation. Notice should be taken of the language at (4): “Notwithstanding any other provision of law” that precede “. . . a final order. . .” within six months. (For example, do backbone transmission facilities come within those sections? Yes, if “necessary to deliver” does a transmission line from solar-powered generation to the nearest utility transmission facility come within those sections? Yes, if “necessary.” What’s necessary? →A plan that includes transmission with maximum system benefits over the long term, (including reliability, environmental performance, risk mitigation and diversity, and competitive results where appropriate) defines what’s “necessary.” Describe the characteristics (if any) or functions that differentiate transmission facilities that come within the scope of §§ 40-2-126(2)(b) and 40-2-126(4), C.R.S., from transmission facilities that do not. If there is a distinction, it is one without a real difference. Please explain your responses.

d. Are the current process for applications and the current timing for Commission decision on applications (*see* § 40-6-109.5, C.R.S.; § 40-2-126(4); Rule 4 CCR 723-1-1303(b)) satisfactory for a CPCN application for transmission facilities for beneficial energy resources? No. The applications do not fit the timing for generation acquisitions, and don’t capture low costs for consumers. This is a troubled party of the Colorado market. If the process and timing are satisfactory, then why? If the process and timing are not satisfactory, then why not? Consumers rates are too high in the absence of optimal competitive generation acquisitions. If the process and timing are not satisfactory, then what changes to the overall process do you suggest? Better plans, 180 days to decide these cases. Please explain or support your responses.

e. Assume that the Commission wishes to develop a fast track process for CPCN applications filed pursuant to § 40-1-126(4), C.R.S.

(1) What should the fast track process look like or be? Well defined filing requirements, short fuse due process, commission decisions within statutory time frames. Should the fast track process apply only to § 40-2-126(4), C.R.S., CPCN applications for new transmission facilities? No. only to § 40-2-126(4), C.R.S., CPCN applications for modifications to existing transmission facilities (assuming that the modifications are not in the ordinary course of business)? No. to all § 40-2-126(4), C.R.S., CPCN applications for transmission facilities? Yes. Should there be one fast track process for CPCN applications for new § 40-2-126(4), C.R.S., transmission facilities and another for CPCN applications for modifications to existing § 40-2-126(4), C.R.S., transmission facilities (assuming that the modifications are not in the ordinary

course of business)? No. The process needs to be uniform and fast. No reason to have more than one track. Please explain your responses.

(2) Does a rebuttable presumption process (*see, e.g.*, discussion and questions above) make sense for new § 40-2-126(4), C.R.S., transmission facilities? If it does, then why? Yes. If the planning is done as intended by the statute, then most of the issues are resolved in the planning stage, the fast track will work. If it does not, then why not? Please explain your responses.

(3) Does a rebuttable presumption process (*see, e.g.*, discussion and questions above) make sense for modifications to § 40-2-126(4), C.R.S., transmission facilities (assuming the modifications are not in the ordinary course of business)? If it does, then why? Yes, same reason. If it does not, then why not? Please explain your responses.

f. With respect to the information that Commission rules require to be filed with an application, (1) is too much information required; (2) is the amount of information required sufficient; or (3) is too little information required? Please explain your response. Same answers

(1) If too much information is required, then what information should be eliminated? Please explain your response.

(2) If too little information is required, then what additional information should be required to be filed? Please explain your response. Put the onus on the planning process to justify the lines. Make the cases about whether the plans make sense or not.

3. Process for CPCN applications for transmission facilities that are backbone transmission facilities.

a. If you are an entity that owns and operates transmission facilities: within your company, what is the definition of backbone transmission facilities? Within your company, what is the point of demarcation (if any) between distribution facilities and transmission facilities (*e.g.*, voltage of conductor, length of conductor, something else)? Within your company, what is the point of demarcation (if any) between non-backbone transmission facilities and backbone transmission facilities (*e.g.*, voltage of conductor, length of conductor, something else)? Identify all *categories* of facilities or network components (1) that are considered to be distribution facilities, (2) that are considered to be non-backbone transmission facilities, and (3) that are considered to be backbone facilities. Please explain your responses. It's a false dichotomy—what does this add? Transmission is transmission, just because you are getting closer to load than to generation it still has the same function—power to load.

b. If you are an entity that owns and operates transmission facilities and if your company does not use the term backbone transmission facilities, then what term does your company use to describe transmission facilities that are used to carry electricity from generation to load centers but that are not distribution facilities? Answer this at some level of transmission—like 119kv and above. Using your company's terminology, respond to the questions posed in number 3.a, above. Please explain your responses.

c. If you are not an entity that owns and operates transmission facilities, then what is your understanding of the term backbone transmission facilities? It's a convenient fiction. It segregates remote resources and discriminates against them. The notion should be substituted for combined generation and transmission net benefits analysis that supports CAPX 2020 sytle plans, at least. What is the source of your understanding? Careful study. Please explain your responses.

d. Does the definition of backbone transmission facilities (or other term used in response to question no. 3.b) include transmission facilities under § 40-2-126(2)(b), C.R.S. (*i.e.*, "transmission facilities necessary to deliver electric power consistent with the timing of the development of beneficial energy resources located in or near" energy resource zones)? If it does not, should the definition of backbone transmission facilities (or other term used in response to question no. 3.b) include transmission facilities under § 40-2-126(2)(b), C.R.S.? Please explain your responses.

e. Should Commission rules contain a standard definition of backbone transmission facilities (or other term used in response to question no. 3.b)? No, the concept should be dropped in favor of transmission necessary to deliver resources to loads, based on 119kv and above. If they should, then why? If they should, then what should the definition be? If they should not, then why not? Please explain your responses.

f. Assume the following: The Commission develops a standard definition of backbone transmission facilities (or other term used in response to question no. 3.b) that *does not include* § 40-2-126(2)(b), C.R.S., transmission facilities; and the Commission promulgates a rule that sets out the contents of an application for a CPCN for backbone transmission facilities (or other term used in response to question no. 3.b).

(1) Are the current process for applications and the current timing for Commission decision on applications (*see* § 40-6-109.5, C.R.S.; Rule 4 CCR 723-1-1303(b)) satisfactory for a CPCN application for backbone transmission facilities (or other term used in response to question no. 3.b)? If they are satisfactory, then why? If they are not satisfactory, then why not? If the current process is not satisfactory, then what changes to the process do you suggest? Would a fast track process for CPCN applications for backbone transmission facilities (or other term used in response to question no. 3.b) address the concerns you identified with respect to the current process and timing? Please explain your responses.

(2) Assume that the Commission wishes to develop a fast track process for CPCN applications for backbone transmission facilities (or other term used in response to question no. 3.b). What should the fast track process look like or be? Should the fast track process apply only to CPCN applications for new backbone transmission facilities (or other term used in response to question no. 3.b)? only to CPCN applications for modifications to existing backbone transmission facilities (or other term used in response to question no. 3.b) (assuming that the modifications are not in the ordinary course of business)? to all CPCN applications for backbone transmission facilities (or other term used in response to question no. 3.b)? Should there be one fast track process for CPCN applications for new backbone transmission facilities (or other term used in response to question no. 3.b) and another for CPCN applications for modifications to existing backbone transmission facilities (or other term used in response to question no. 3.b) (assuming that the modifications are not in the ordinary course of business)? Please explain your responses.

(3) Assume that the Commission wishes to develop a fast track process for CPCN applications for backbone transmission facilities (or other term used in response to question no. 3.b).— The Commission should develop a fast track for transmission facilities. Does a rebuttable presumption process (*see, e.g.*, discussion and questions above) make sense for new backbone transmission facilities (or other term used in response to question no. 3.b)? for modifications to existing backbone transmission facilities (or other term used in response to question no. 3.b) (assuming the modifications are not in the ordinary course of business)? Please explain your responses.

g. With respect to the information that Commission rules require to be filed with an application, (1) is too much information required; (2) is the amount of information required sufficient; or (3) is too little information required? Please explain your response.

(1) If too much information is required, then what information should be eliminated? Please explain your response.

(2) If too little information is required, then what additional information should be required to be filed? Please explain your response.

4. Process for CPCN applications for transmission facilities not in one of the foregoing categories. The statute addresses a “robust electric transmission system” to achieve transmission necessary to serve beneficial resources. If the legislature had intended categories, they could have said so.

a. Are the current process for applications and the current timing for Commission decision on applications (*see* § 40-6-109.5, C.R.S.; Rule 4 CCR 723-1-1303(b)) satisfactory for CPCN applications for transmission facilities that do not fall

within one of the categories identified above? If they are, then why? If they are not, then why not? Please explain your responses.

b. If the current process is not satisfactory, then what changes do you suggest? Please be specific and support your suggested changes.

c. Does a rebuttable presumption process (*see, e.g.*, discussion and questions above) make sense for CPCN applications for transmission facilities that do not fall within one of the categories identified above? If it does, then why? If does not, then why not? Please explain your responses.

d. With respect to the information that Commission rules require to be filed with an application, (1) is too much information required; (2) is the amount of information required sufficient; or (3) is too little information required? Please explain your response.

(1) If too much information is required, then what information should be eliminated? Please explain your response.

(2) If too little information is required, then what additional information should be required to be filed? Please explain your response.

5. Process for applications that seek *both* a CPCN for transmission facilities *and* a reasonableness finding for transmission line noise, for electro-magnetic field (EMF), or for both.

An application for a CPCN to construct a transmission line and related facilities may -- and often does -- include an application for a Commission order finding to be reasonable one or both of the following: (a) the noise levels projected to occur when the transmission line is in operation; and (b) either a specific level of EMF or the EMF level projected to occur when the transmission line is in operation. (These will be referred to as reasonableness findings.) An application for reasonableness findings comes within the time frames of § 40-6-109.5, C.R.S., and Rule 4 CCR 723-1-1303(b).

PLEASE NOTE: The following questions are focused exclusively on *process*, not on substance. The workshop scheduled for May 18, 2009 will provide participants the opportunity to discuss the substance (that is, the content) of any suggested rules. *See* Decision No. C09-0245 at ¶ 7 (identifying the rules or substantive areas to be discussed). As a result, the responses to the questions asked below should focus exclusively on process.

a. With respect to *projected transmission line noise levels*:

(1) Should the Commission promulgate a rule that *establishes or sets* reasonable noise levels? If it should promulgate a rule, then why? If it should not promulgate a rule, then why not? Please explain your responses. Yes for certainty, so studies can be done and filed with the application. Be clear about what you want up front, make the planning process carry the water, use the proceedings to review what's created in the planning phase.

(2) In the alternative, should the Commission promulgate a rule that *creates a rebuttable presumption* regarding reasonable noise levels? Yes, rebuttable presumption works well in ERP rules, utilities get certainty. If it should create a rebuttable presumption, then why? See above If it should not create a rebuttable presumption, then why not? Please explain your responses.

b. With respect to *projected EMF levels*:

(1) Should the Commission promulgate a rule that *establishes or sets* reasonable projected EMF levels? Yes If it should promulgate a rule, then why? Clear expectations If it should not promulgate a rule, then why not? Please explain your responses.

(2) In the alternative, should the Commission promulgate a rule that *creates a rebuttable presumption* with respect to reasonable projected EMF levels? Yes. If parties want to challenge utility claims, they should have the opportunity to do so. If it should create a rebuttable presumption, then why? Incentive for utilities to plan well. If it should not create a rebuttable presumption, then why not? Please explain your responses.

c. Are the current process for applications and the current timing for Commission decision on applications (*see* § 40-6-109.5, C.R.S.; Rule 4 CCR 723-1-1303(b)) satisfactory for a combined application pertaining to *transmission facilities that are "in the ordinary course of business"* and reasonableness findings? No, that's why the legislature put 180 days in SB 100 "notwithstanding any other provision of law". If in conflict, the later enactment should control. If they are, then why? If they are not, then why not? If the current process and timing are not satisfactory, then what changes to the process do you propose? Use 180 days for all filings—why have two processes and an option to slow progress? If a combined application is filed, does that fact change any of your responses to the questions asked above about the process for applications for transmission facilities that are "in the ordinary course of business"? No If it does, then identify and explain the changes in your responses. Please explain your responses. Use planning to iron out these difficulties and the hearing process to check the planning.

d. If the Commission were to promulgate rules establishing levels of projected noise and levels of projected EMF that are reasonable or are presumed to be reasonable, then would that address some or all of your concerns about the process applicable to a combined application pertaining to *transmission facilities that are "in the*

ordinary course of business" and reasonableness findings? If it would, then why? If it would not, then why not? If a combined application is filed and if there are rules establishing levels of noise and of EMF that are reasonable or are presumed to be reasonable, does that fact change any of your responses to the questions asked above about the process for applications for transmission facilities are "in the ordinary course of business"? No. If it does, then identify and explain the changes in your responses. Simplify, streamline, speed up. Please explain your responses.

e. Are the current process for applications and the current timing for Commission decision on applications (*see* § 40-6-109.5, C.R.S.; Rule 4 CCR 723-1-1303(b)) satisfactory for a combined application pertaining to a CPCN for *transmission facilities that come within the scope of §§ 40-2-126(2)(b) and 40-2-126(4), C.R.S.*, and reasonableness findings? If they are, then why? If they are not, then why not? No, need for speed, go to SB 100 timing for all proceedings. If the current process and timing are not satisfactory, then what changes to the process do you propose? If a combined application is filed, does that fact change any of your responses to the questions asked above about the process for CPCN applications for transmission facilities that come within the scope of §§ 40-2-126(2)(b) and 40-2-126(4), C.R.S.? If it does, then identify and explain the changes in your responses. Please explain your responses.

f. If the Commission were to promulgate rules establishing levels of projected noise and levels of projected EMF that are reasonable or are presumed to be reasonable, then would that address some or all of your concerns about the process applicable to a combined application pertaining to a CPCN for *transmission facilities that come within the scope of §§ 40-2-126(2)(b) and 40-2-126(4), C.R.S.*, and reasonableness findings? If it would, then why? If it would not, then why not? If a combined application is filed and if there are rules establishing levels of noise and of EMF that are reasonable or are presumed to be reasonable, does that fact change any of your responses to the questions asked above about the process for applications when the transmission facilities come within the scope of §§ 40-2-126(2)(b) and 40-2-126(4), C.R.S.? ?.? No, see above. If it does, then identify and explain the changes in your responses. Please explain your responses.

g. Are the current process for applications and the current timing for Commission decision on applications (*see* § 40-6-109.5, C.R.S.; Rule 4 CCR 723-1-1303(b)) satisfactory for a combined application pertaining to a CPCN for *backbone transmission facilities* (or other term used in response to question no. 3.b) and reasonableness findings? If they are, then why? If they are not, then why not? If the current process and timing are not satisfactory, then what changes to the process do you propose? If a combined application is filed, does that fact change any of your responses to the questions asked above about the process for CPCN applications for backbone transmission facilities (or other term used in response to question no. 3.b)? Drop these distinctions—one process, simplified and speeded up. If it does, then identify and explain the changes in your responses. Please explain your responses.

h. If the Commission were to promulgate rules establishing levels of projected noise and levels of projected EMF that are reasonable or are presumed to be reasonable, then would that address some or all of your concerns about the process applicable to a combined application pertaining to a CPCN for *backbone transmission facilities* (or other term used in response to question no. 3.b) and reasonableness findings? If it would, then why? If it would not, then why not? If a combined application is filed and if there are rules establishing levels of noise and of EMF that are reasonable or are presumed to be reasonable, does that fact change any of your responses to the questions asked above about the process for CPCN applications for backbone transmission facilities (or other term used in response to question no. 3.b)? If it does, then identify and explain the changes in your responses. Please explain your responses.

i. Are the current process for applications and the current timing for Commission decision on applications (*see* § 40-6-109.5, C.R.S.; Rule 4 CCR 723-1-1303(b)) satisfactory for a combined application pertaining to a CPCN for *transmission facilities that do not fall within one of the other categories* and reasonableness findings? If they are, then why? If they are not, then why not? If the current process and timing are not satisfactory, then what changes to the process do you propose? If a combined application is filed, does that fact change any of your responses to the questions asked above about the process for CPCN applications for transmission facilities that do not fall within one of the other categories? If it does, then identify and explain the changes in your responses. Please explain your responses.

j. If the Commission were to promulgate rules establishing levels of projected noise and levels of projected EMF that are reasonable or are presumed to be reasonable, then would that address some or all of your concerns about the process applicable to a combined application pertaining to a CPCN *transmission facilities that do not fall within one of the other categories* and reasonableness findings? If it would, then why? If it would not, then why not? If a combined application is filed and if there are rules establishing levels of noise and of EMF that are reasonable or are presumed to be reasonable, does that fact change any of your responses to the questions asked above about the process for CPCN applications for transmission facilities that do not fall within one of the other categories? If it does, then identify and explain the changes in your responses. Please explain your responses.

k. With respect to the information that Commission rules require to be filed with a combined application, (1) is too much information required; (2) is the amount of information required sufficient (or just right); or (3) is too little information required? Please explain your response.

(1) If too much information is required, then what information should be eliminated? Please explain your response.

(2) If too little information is required, then what additional information should be required to be filed? Please explain your response.