

Decision No. C25-0484

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 25A-0266E

IN THE MATTER OF THE APPLICATION OF TRI-STATE GENERATION AND TRANSMISSION ASSOCIATION, INC. FOR PUBLIC INTEREST DETERMINATION FOR ENTRY INTO THE SOUTHWEST POWER POOL IN THE WESTERN INTERCONNECTION.

**INTERIM COMMISSION DECISION PROVIDING
NOTICE OF APPLICATION, ESTABLISHING A
SHORTENED NOTICE AND INTERVENTION PERIOD,
AND SETTING DEADLINE FOR RESPONSE TO MOTION**

Issued Date: June 26, 2025

Adopted Date: June 25, 2025

TO THE PARTIES IN THIS MATTER AND ALL INTERESTED PERSONS, FIRMS, OR CORPORATIONS:

I. BY THE COMMISSION

A. Statement

1. By this Decision the Commission provides notice of the Application filed by Tri-State Generation and Transmission Association, Inc. (“Tri-State” or “Company”) on June 16, 2025 (“Application”), regarding Tri-State’s plan to transition certain of its load, resources, and transmission assets, largely located in the Western Area Colorado-Missouri (“WACM”) Balancing Authority (“BA”) into the Southwest Power Pool (“SPP”) Regional Transmission Organization (“RTO”) effective April 1, 2026. Tri-State requests the Commission find that the SPP RTO in the Western Interconnection satisfies the characteristics of an

Organized Wholesale Market (“OWM”) in accordance with § 40-5-108(1), C.R.S., and Rule 3752(n), 4 *Code of Colorado Regulations* (“CCR”) 723-3, and that Tri-State’s participation in the SPP RTO is in the public interest pursuant to Rule 3754(d). Alternatively, Tri-State requests that the Commission: (1) find that the SPP RTO satisfies the criteria specified in Rule 3754(d)(I)-(III) and that Tri-State’s participation is in the public interest pursuant to Rule 3754(d); and (2) grant, to the extent necessary and consistent with the public interest determination, a waiver of the requirement to join a statutory OWM on or before January 1, 2030, in accordance with § 40-5-108(2), C.R.S., and Rule 3756. If the Commission does not grant either of these alternative requests, then Tri-State requests the Commission grant the Company a waiver in accordance with § 40-5-108(2), C.R.S., and Rule 3756.

2. This Decision establishes a shortened notice and intervention period for the Application. The notice period shall extend through and include **12:00 p.m. on July 9, 2025**. Interventions, including those from Commission Staff, shall be due by **12:00 p.m. on July 9, 2025**. Responses to intervention filings shall be due by **12:00 p.m. on July 14, 2025**.

3. This Decision also sets response time to the motion to approve a proposed procedural schedule, discovery procedures, and treatment of confidential information, filed by Tri-State on June 16, 2025 (“Motion”). Movants seeking intervention and parties filing notices of intervention as of right must file any responses to the Motion by **12:00 p.m. on July 14, 2025**. Alternatively, if Tri-State and the intervention movants and filers as of right have reached a consensus proposal, this may be filed by **12:00 p.m. on July 14, 2025**.

B. Application

4. In its Application, Tri-State explains that it has entered into a commitment agreement to transition its load, resources, and transmission assets in the WACM BA area into

the SPP RTO effective April 1, 2026, and that select transmission assets located within the Public Service Company of Colorado (“Public Service”) BA and along a boundary between the Public Service WACM BA area would also transition to the SPP RTO. The loads and resources in the WACM BA area include a portion of Tri-State’s Colorado system. It therefore seeks a Commission finding that the SPP TRO in the Western Interconnection is a statutory OWM and that Tri-State’s expanded participation in the SPP RTO is in the public interest.

5. Tri-State explains that because it would be joining the full SPP RTO, all of the services offered by the RTO are included in the proposed market. These include SPP’s transmission service, market operations service, planning coordinator service, reliability coordinator service, BA service, and interchange authority service. Tri-State’s Application also addresses the information required by Rule 3755.

C. Motion

6. Along with its Application, on June 16, 2025, Tri-State filed a Motion requesting the Commission approve its proposals for a procedural schedule, discovery procedures, and treatment of confidential information. The Motion addresses the abbreviated application process contemplated by Rule 3753(d) and proposes comment deadlines, a public comment hearing date, and notes a November 13, 2025 deadline for a Commission Decision, which is after 150 days of the filing of the Application.

D. Findings and Conclusions

7. Under Rule 3754(f), at least 9 months ahead of commencing planned operations in an RTO or an Independent System Operator market, Tri-State is required to submit an application consistent with Rule 3002 and Rule 3755 requesting the Commission determine that participation in the market is in the public interest based on the criteria identified in Rule 3754(d)

or (e). Upon receipt of the filing, the rule requires the Commission to open an abbreviated adjudicatory proceeding, notice the filing, establish an intervention period for the purpose of establishing parties, and set a schedule for receiving written initial and responsive comments in a way that results in a written decision within 150 days of the filing of the application. Rule 4 CCR 723-3-3754(f)(I). Additionally, the Commission will establish procedures for the proceeding that shall include one or more public comment hearings and, if necessary, an evidentiary hearing. Rule 4 CCR 723-3-3754(f)(III).

8. Through this Decision, we open the adjudicatory application proceeding, notice the Application, and establish an intervention period for the purpose of establishing parties. The Commission will establish a schedule for receiving comments and further procedures for the proceeding through future decisions.

9. The Application is available for public inspection by accessing the Commission's E-Filings System under Proceeding No. 25A-0266E at Colorado.gov/dora/puc. **This Decision is the notice that the Application requesting a determination that participation in the Southwest Power Pool Regional Transmission Organization in the Western Interconnection is in the public interest, has been filed by Tri-State Generation and Transmission Association, Inc., with the Commission.**

10. This Decision establishes a shortened notice and intervention period for the Application. The Commission's notice period for the Application shall extend through and include **12:00 p.m. on July 9, 2025**. The intervention period will run concurrent with the notice period. Interventions, including from Commission Staff, shall be due by **12:00 p.m. on July 9, 2025**. All persons who file an objection, notice of intervention as of right, motion to

permissively intervene, or any other appropriate pleading shall do so in accordance with the instructions set forth in the Commission's Rules of Practice and Procedure.

11. Responses to intervention filings and to Tri-State's outstanding Motion shall be filed by **July 14, 2025, at 12:00 p.m.**

12. At the time of this Decision, the Commission has not deemed this Application to be complete pursuant to § 40-6-109.5, C.R.S.

II. ORDER

A. It Is Ordered That:

1. Service of this Decision will provide notice to all interested persons, firms, and corporations of the Application filed by Tri-State Generation and Transmission Association, Inc. ("Tri-State") on June 16, 2025, requesting a determination that participation in the Southwest Power Pool Regional Transmission Organization is in the public interest and seeking various findings under § 40-5-108, C.R.S., and Commission rules.

2. The notice period for the Application shall extend through and include **12:00 p.m. on July 9, 2025.**

3. Any person desiring to intervene or participate as a party in this Proceeding, including Commission Staff, shall file a petition for leave to intervene or, pursuant to the Commission's Rules of Practice and Procedure, other appropriate pleadings to become a party by **12:00 p.m. on July 9, 2025.**

4. Responses to interventions shall be filed no later than **July 14, 2025, at 12:00 p.m.**

5. Responses to the Motion to Approve Procedural Schedule, Discovery Procedures, and Treatment of Confidential Information, filed by Tri-State on June 16, 2025, shall be filed no later than **July 14, 2025, at 12:00 p.m.**

6. This Decision is effective upon its Issued Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
June 25, 2025.**

(S E A L)



ATTEST: A TRUE COPY

Rebecca E. White,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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Commissioners