

BEFORE THE PUBLIC UTILITIES COMMISSION
STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF TRI-)
STATE GENERATION AND TRANSMISSION)
ASSOCIATION, INC.,)
(A) FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY FOR THE SAN)
LUIS VALLEY TO CALUMET TO COMANCHE)
TRANSMISSION PROJECT,)
(B) FOR SPECIFIC FINDINGS WITH RESPECT TO)
EMF AND NOISE, AND (C) FOR APPROVAL OF)
OWNERSHIP INTEREST TRANSFER AS NEEDED)
WHEN PROJECT IS COMPLETED)

DOCKET NO. 09A-324E

IN THE MATTER OF THE APPLICATION OF)
PUBLIC SERVICE COMPANY OF COLORADO (A))
FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY FOR THE SAN)
LUIS VALLEY TO CALUMET TO COMANCHE)
TRANSMISSION PROJECT, (B) FOR SPECIFIC)
FINDINGS WITH RESPECT TO EMF AND NOISE,)
AND (C) FOR APPROVAL OF OWNERSHIP)
INTEREST TRANSFER AS NEEDED WHEN)
PROJECT IS COMPLETED)

DOCKET NO. 09A-325E

NONDISCLOSURE AGREEMENT

I hereby state that I have read the protective provisions relating to confidential information contained in Rule 4 CCR 723-1-1100 through 1102 and agree to be bound by the terms of those protective provisions with respect to all Highly Confidential and Confidential Information provided to me in the course of this proceeding in Dockets No. 09A-324E and 097A-325E. I hereby state that I do not represent the interests of, or consult with, any bidder who submitted a power supply proposal to Public Service Company of Colorado in response to its 2009 All Source Solicitation. I further state that I do not represent or consult with Colorado Springs Utilities, Black Hills Energy or Tri-State Generation and Transmission Association. However, other attorneys in my law firm may represent or consult with such bidders or utilities. I have discussed this matter with counsel for Public Service Company of Colorado and we have agreed that provision of Highly Confidential Information and Confidential Information to me shall

not disqualify other attorneys in my firm from continuing to represent bidders or utilities, provided that I prevent these attorneys from obtaining access to the Highly Confidential Information and Confidential Information provided to me.

I further agree and affirm that in consideration of being provided access to certain Highly Confidential Information in this docket from which bid pricing might be inferred, I personally will not represent, or consult with, any bidder in the preparation of a bid for, or in the negotiation of a power purchase agreement with, Public Service Company of Colorado for two years from August 24, 2009, provided however that this restriction shall not apply to any Request for Proposal that is issued by Public Service Company of Colorado pursuant to the Electric Resource Plan that Public Service intends to file in 2011.

Dated: _____

Name

Employer or Firm

Business Address

Party in the Docket

Signature

Signature of Counsel