

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14A-0287E

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO (A) FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR THE PAWNEE TO DANIELS PARK 345 KV TRANSMISSION PROJECT, AND (B) FOR SPECIFIC FINDINGS WITH RESPECT TO EMF AND NOISE.

**INTERIM DECISION SETTING APPLICATION
FOR HEARING, REFERRING THE MATTER
TO AN ADMINISTRATIVE LAW JUDGE, AND
INSTRUCTING THE ADMINISTRATIVE LAW
JUDGE TO CONVENE A PUBLIC COMMENT HEARING**

Mailed Date: May 23, 2014

Adopted Date: May 14, 2014

I. BY THE COMMISSION

A. Statement, Conclusions, and Findings

1. On March 28, 2014, Public Service Company of Colorado (Public Service or Company) filed an application for a Certificate of Public Convenience and Necessity (CPCN) for its proposed Pawnee to Daniels Park 345 kV Transmission Project (Application). Additionally, Public Service requested the Commission make specific findings with respect to the reasonableness of the noise and magnetic field levels the Company estimates will result from operating the project. Public Service filed the Application with supporting Direct Testimony and Exhibits.

2. The proposed project entails approximately 115 miles of new transmission investment, originating at the Pawnee Station, near Brush, Colorado, and terminating at the Daniels Park Substation, north of Castle Pines, Colorado. The project also includes a new Smoky Hill – Daniels Park 345 kV circuit and a new Harvest Mile substation.

3. Public Service states that the project: completes the Company's 345 kV transmission backbone, running along the Front Range from the Pawnee to Comanche generating stations; satisfies a need to increase transmission reliability (both present and future); and meets the objectives of Senate Bill 07-100 by reaching a proven resource zone. According to Public Service, the project has been a part of the Company's long-range transmission plans since 2007.

4. On April 24, 2014, the Rowley Downs Homeowners Association (RD HOA) filed a petition to intervene, objecting to the Application. The RD HOA states that the development of the project would negatively impact the value of the homes nearest the proposed additional lines, influence the aesthetic environment of the community, and potentially produce electromagnetic fields (EMFs), which may put at risk the health of children who live or who may in the future live near these lines. In addition, according to the RD HOA, the community outreach process Public Service used in preparation for submitting the application did not appear to seek substantive community input through dialogue and consideration of possible options. The RD HOA asserts that the Company's efforts appear to have functioned as a public relations program "to sell" the Company's seemingly already-determined conclusions and plans for the project.

5. On May 1, 2014, the Colorado Office of Consumer Counsel (OCC) filed a notice of intervention of right and a request for hearing. The OCC disputes the Company's contention that the project is needed, arguing that the existing transmission system can easily handle all of the firm capacity in the area and most of the wind capacity. In addition, the OCC asserts that the supply of new generating capacity would be best addressed in the Company's next Electric Resource Plan, due to be filed October 31, 2015, rather than in this proceeding concerning a request for a CPCN for a transmission project. The OCC also has questions regarding the

detailed transmission studies that Public Service performed and other issues regarding the Application.

6. On May 1, 2014, the Colorado Energy Consumers (CEC) filed a motion to intervene and request for hearing. CEC is specifically concerned about the cost of the proposed project. According to CEC, Public Service estimates the project will cost \$178 million, plus or minus 30 percent, and may add somewhere between \$124.6 to \$231.4 million to Public Service's rate base.

7. On May 6, 2014, Staff of the Colorado Public Utilities Commission filed a notice of intervention by right and request for hearing, indicating that it would participate in the proceeding and requests a hearing for the purpose of adequately vetting Public Service's proposals.

8. The Commission has also received comments from the public voicing concerns about Public Service's proposed project. Some of these comments specifically request that the Commission convene a hearing in the Town of Parker.

9. We find good cause to set the Application for hearing and refer the matter to an Administrative Law Judge (ALJ) for the issuance of a recommended decision. We further find good cause to instruct the ALJ assigned to this matter to conduct a public comment hearing. The Commission will receive comments from the public regarding any aspect of the Application as filed by Public Service. The ALJ will establish the time and location of the public comment hearing by separate decision.

10. The ALJ shall address the requests for intervention by permission in a separate decision.

II. ORDER**A. It Is Ordered That:**

1. The Application for a Certificate of Public Convenience and Necessity for the Pawnee to Daniels Park 345 kV Transmission Project (Application) filed by Public Service Company of Colorado on March 28, 2014, is set for hearing before an Administrative Law Judge (ALJ) for a recommended decision, consistent with the discussion above.

2. The Application is deemed complete for purposes of § 40-6-109.5, C.R.S.

3. The ALJ assigned to this matter shall address the requests for interventions.

4. The ALJ shall hold a public comment hearing in association with this matter, consistent with the discussion above.

5. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
May 14, 2014.**

(S E A L)



ATTEST: A TRUE COPY

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

PAMELA J. PATTON

GLENN A. VAAD

Commissioners

CHAIRMAN JOSHUA B. EPEL
ABSENT.