

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

CASE NO. 6396

IN THE MATTER OF THE DESIGNATION OF ELECTRIC UTILITY TRANSMISSION FACILITIES AND ELECTRIC UTILITY GENERATION FACILITIES FOR WHICH AN APPLICATION TO OBTAIN A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY IS REQUIRED OR THE FILING OF A FORMAL DETERMINATION THAT NO CERTIFICATE IS REQUIRED.

**ORDER OF THE COMMISSION PERTAINING
TO CERTIFICATION OF FACILITIES**

Mailed Date: July 1, 2004
Adopted Date: June 30, 2004

I. BY THE COMMISSION

A. Statement

1. Sections (d) and (e) of *Rule 18 of the Commission's Electric Utility Rules, 4 Code of Colorado Regulations* 723-3, require each Colorado electric utility to file a schedule of its proposed new construction or extensions of generation and transmission facilities for the next three calendar years no later than April 30 of each year.

2. Rules 18(d)(2) and (e)(2) further provide that the Commission shall issue its decision on whether a certificate of public convenience and necessity (CPCN), or a formal determination regarding the necessity of a CPCN, is required within 60 days of April 30 of the calendar year in which the data are filed.

3. Rule 18(g) provides that the information filed by each utility shall be public information, available for inspection at the offices of the Commission during regular business days and hours. The rule further provides that the Commission will give notice of the filing of

data to all those who, in the opinion of the Commission, are interested persons, firms, or corporations. Any interested person, firm, or corporation may file comments about the identified projects within 15 days of the filing of the data.

4. The Commission issued notice of the data filing on June 1, 2004, and a 15-day period for comments ended June 16, 2004. No comments were filed.

5. The following utilities submitted proposed projects:

Mountain View Electric Association, Inc.
Public Service Company of Colorado
Intermountain Rural Electric Association, Inc.
Tri-State Generation and Transmission Association, Inc.
Aquila, Inc. (formerly WestPlains Energy)
Poudre Valley Rural Electric Association, Inc.
La Plata Electric Association, Inc.
Grand Valley Rural Power Lines, Inc.

6. New projects were reported as listed below by company:

Mountain View Electric Association, Inc.

Black Squirrel to Peyton Transmission Line Upgrade

Poudre Valley Rural Electric Association, Inc.

Owens-Illinois Substation 115-12.5kV and 115kV Transmission Line

Public Service Company of Colorado

Conoco-Sandown 115kV Circuit
Comanche-Midway-Daniels Park 345kV Line
Comanche No. 3 750MW Coal Fired Generation

Intermountain Rural Electric Association, Inc.

Como Substation
Shawnee Substation
Sulphur Substation

Tri-State Generation and Transmission Association, Inc.

United Power System Improvement Project – Phase I
United Power System Improvement Project – Phase II
United Power System Improvement Project – Phase III
Crested Butte Loop Alternative Project
Wray Tap #2-Wray (WAPA) 115kV Backup
Black Squirrel-Peyton 115 kV Delivery Point

Aquila, Inc. (formerly WestPlains Energy)

Burnt Mill Substation
East Canon Substation

La Plata Electric Association, Inc.

No new projects.

Grand Valley Rural Power Lines, Inc.

Adobe Substation

II. ORDER

A. The Commission Orders That:

1. No certificate of public convenience and necessity shall be required for the following Mountain View Electric Association, Inc., projects not identified before:

Black Squirrel to Peyton Transmission Line Upgrade, in-service
August 2007.

2. No certificate of public convenience and necessity shall be required for the following Poudre Valley Electric Association, Inc., project not identified before:

Owens-Illinois Substation 115-12.5kV and 115kV Transmission Line,
in-service October 2004.

3. No certificate of public convenience and necessity shall be required for the following Public Service Company of Colorado project not identified before:

Conoco-Sandown 115kV Circuit, in-service September 2005.

4. No certificate of public convenience and necessity shall be required for the following Intermountain Rural Electric Association, Inc., projects not identified before:

Como Substation, in-service August 2006.
Shawnee Substation, in-service October 2006.

5. Public Service Company of Colorado shall file for a certificate of public convenience and necessity or for a formal determination that no certificate of public convenience and necessity is required for the following projects: a) Comanche-Midway-Daniels Park 345kV Line, in-service April 2009; and b) Comanche No. 3 750MW Coal Fired Generation, in-service October 2009 (an application for a certificate of public convenience and necessity determination was filed April 30, 2004, under Docket No. 04A-216E). The filing shall include, but shall not be limited to:

- (a) a map showing the general area or actual locations where facilities will be constructed, population centers, major highways, state boundaries, county boundaries;
- (b) electric one line diagrams including substation one line diagrams;
- (c) information on alternatives studied, costs for those alternatives, criteria used to rank or eliminate alternatives;
- (d) justification for the preferred alternative, including technical and/or economic studies;
- (e) demonstration that the public convenience and necessity of Colorado consumers require granting of the application; and
- (f) a report of prudent avoidance measures considered and justification for the measures selected to be implemented.

6. Tri-State Generation and Transmission Association, Inc., shall file for a certificate of public convenience and necessity or for a formal determination that no certificate of public convenience and necessity is required for the following projects: a) Durango-Hesperus 115kV Loop Project, in-service December 2006, per Decision No. C03-0707; and b) Bayfield-Pagosa

115kV Loop Project, in-service December 2006, per Decision No. C03-0707. The filing shall include, but shall not be limited to:

- (a) a map showing the general area or actual locations where facilities will be constructed, population centers, major highways, state boundaries, county boundaries;
- (b) electric one line diagrams including substation one line diagrams;
- (c) information on alternatives studied, costs for those alternatives, criteria used to rank or eliminate alternatives;
- (d) justification for the preferred alternative, including technical and/or economic studies;
- (e) demonstration that the public convenience and necessity of Colorado consumers require granting of the application; and
- (f) a report of prudent avoidance measures considered and justification for the measures selected to be implemented.

7. No certificate of public convenience and necessity shall be required for the following Tri-State Generation and Transmission Association, Inc., projects not identified before:

United Power System Improvement Project – Phase I, in-service
December 2003.
United Power System Improvement Project – Phase II, in-service
December 2004.
United Power System Improvement Project – Phase III, in-service
December 2006.
Crested Butte Loop Alternative Project, in-service December 2004.
Wray Tap #2-Wray (WAPA) 115kV Backup, in-service December 2007.
Black Squirrel-Peyton 115 kV Line Delivery Point, in-service
December 2007.

8. No certificate of public convenience and necessity shall be required for the following Aquila, Inc., projects not identified before:

Burnt Mill Substation, in-service 3rd quarter 2007.
East Canon Substation, in-service 3rd quarter 2006.

9. No certificate of public convenience and necessity shall be required for the following Grand Valley Rural Power Lines, Inc., project not identified before:

Adobe Substation, in-service March 2006.

10. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
June 30, 2004.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER JIM DYER ABSENT.