

Decision No. C21-0256-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 09M-392E

IN THE MATTER OF THE YEAR 2009 FILINGS BY COLORADO ELECTRIC UTILITIES IN ACCORDANCE WITH RULE 4 CCR 723-3-3206 FOR THE DESIGNATION OF ELECTRIC UTILITY TRANSMISSION FACILITIES WHETHER THE FACILITIES ARE IN THE NORMAL COURSE OF BUSINESS OR AN APPLICATION TO OBTAIN A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY IS REQUIRED.

**INTERIM DECISION ISSUING NOTICE OF
FILING AND SETTING DATE FOR FILING COMMENTS**

Mailed Date: April 30, 2021

Adopted Date: April 28, 2021

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

I. BY THE COMMISSION

A. Statement

1. This Decision establishes a 14-day notice and comment period for the Amended Rule 3206 Report: Proposed Construction or Extension of Transmission Facilities, 2010 through 2012 (Amended 2009 Report), which was filed on April 8, 2021, by Public Service Company of Colorado (Public Service or Company) and provides an update on the Company's Bluestone Valley Substation Project (Bluestone Valley Project). Comments to the Amended 2009 Report must be filed by **5:00 p.m. on May 12, 2021**.

B. Discussion, Findings, and Conclusions

2. Rule 3206(d) of the Commission's Rules Regulating Electric Utilities, 4 *Code of Colorado Regulations* (CCR) 723-3, requires each Colorado electric utility to file with the Commission, no later than April 30 of each year, information on its proposed new construction or

extensions of transmission facilities for the next three calendar years (Rule 3206 Reports). Amendments to Rule 3206 Reports are permitted at any time. 4 CCR 723-3-3206(d). The Rule does not specify a notice period for amendments to Rule 3206 Reports.

3. Public Service filed its initial 2009 Rule 3206 Report on April 30, 2009. By Decision No. C09-0681, issued June 25, 2009, the Commission addressed the Company's initial 2009 Rule 3206 Report. Decision No. C09-0681 included our determination that the Company's Bluestone Valley Project, a planned new 230 kV substation, was in the ordinary course of business and that no Certificate of Public Convenience and Necessity (CPCN) was necessary for the project.

4. On April 8, 2021, Public Service filed its Amended 2009 Report in this Proceeding.¹ It explains that in the years since the Bluestone Valley Project was originally identified, the Company has modified the project's scope and divided the project into two phases. It states that the Phase 1 portion of the project included removal of an existing 69 kV transmission line and construction of a new Bluestone Valley 69 kV Switching Station, and has been completed. Public Service states that the Phase 2 portion of the project includes the remaining 230 kV work identified in Public Service's initial 2009 Rule 3206 Report and in its subsequent Rule 3206 reports.²

¹ On November 11, 2020, in Proceeding No. 20M-0005E, Public Service filed an Amended 2020 Rule 3206 Report. The Amended 2020 Rule 3206 Report requested the same relief regarding Phase 2 of the Bluestone Valley Project that is requested in the Amended 2009 Report. Public Service withdrew the Amended 2020 Rule 3206 Report on April 12, 2020 and stated that the Amended 2009 Report filed in this Proceeding supersedes the Amended 2020 Rule 3206 Report filed in Proceeding No. 20M-0005E.

² On March 26, 2021, Public Service met with Commission Advisors and the Office of Consumer Counsel and explained that Phase 2 of the Bluestone Valley Project is substantially the same Bluestone Valley Project first identified in the Company's initial 2009 Rule 3206 Report.

5. In the Amended 2009 Report, Public Service includes an updated project description, explanation of purpose and need, cost estimate, and in-service date for Phase 2 of the Bluestone Valley Project. The Company states that the project's overall scope, purpose, and need have not substantially changed since 2009, and it requests that the Commission affirm the determination in Decision No. C09-0681 that Phase 2 of the Bluestone Valley Project is in the ordinary course of business and no CPCN is required.

6. The Amended 2009 Report is available for public inspection by accessing the Commission's E-Filing system under the above proceeding number at Colorado.gov/dora/puc. **This Decision is the notice that Public Service's Amended Rule 3206 Report requesting the Commission affirm its determination in Decision No. C09-0681 that no CPCN is required for Phase 2 of the Bluestone Valley Project, has been filed.**

7. We find good cause to set a 14-day notice and comment period for the Amended 2009 Report. We believe this allows sufficient time for meaningful comments to Public Service's request. Therefore, the Commission notice period for the Amended 2009 Report shall extend through and include **5:00 p.m. on May 12, 2021**. Any person, firm, or corporation may file comments by **5:00 p.m. on May 12, 2021**.

II. ORDER

A. It Is Ordered That:

1. Service of this Decision will provide notice of the Amended 2009 Report Amended Rule 3206 Report: Proposed Construction or Extension of Transmission Facilities, 2010 through 2012 (Amended 2009 Report), filed on April 8, 2021 by Public Service Company of Colorado, to all interested persons, firms, and corporations.

2. The notice period for the Amended 2009 Report shall extend through and include **5:00 p.m. on May 12, 2021.**

3. Comments on the Amended 2009 Report shall be due by **5:00 p.m. on May 12, 2021**, consistent with the discussion above.

4. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
April 28, 2021.**

(S E A L)



ATTEST: A TRUE COPY

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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JOHN GAVAN

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Commissioners