

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO**

**IN THE MATTER OF THE APPLICATION OF)
TRI-STATE GENERATION AND TRANSMISSION)
ASSOCIATION, INC. FOR A CERTIFICATE OF)
PUBLIC CONVENIENCE AND NECESSITY FOR) PROCEEDING NO. 18A-_____
THE GATEWAY TRANSMISSION PROJECT, AND)
FOR SPECIFIC FINDINGS WITH RESPECT TO)
MAGNETIC FIELDS AND AUDIBLE NOISE)**

APPLICATION

Tri-State Generation and Transmission Association, Inc. (“Tri-State”), by and through its undersigned legal counsel, in accordance with the Colorado Public Utilities Law (Colorado Revised Statute § 40-5-101, *et seq.*) and Rules 1303, 3002, 3102, and 3206 of the Commission’s Rules of Practice and Procedure, requests that the Commission issue a Certificate of Public Convenience and Necessity (“CPCN”) for the Gateway Transmission Project (the “Project”) and make specific findings with respect to the reasonableness of magnetic fields and audible noise associated with the Project.

I. **Introduction**

Poudre Valley Rural Electric Association (“PVREA”), one of Tri-State’s Member Systems, is experiencing native load growth on its system in northern Weld County. In order to serve this load growth, Tri-State and PVREA are planning to build a new delivery point known as the Gateway Transmission Project. The Project is needed to facilitate service by Tri-State’s Member System to the identified and forecasted distribution loads in PVREA’s service territory. It is also expected to

increase system reliability for PVREA and Public Service Company of Colorado, and for Tri-State's existing loads.

II. Description of the Project

The Project consists of a new 230/115/12.47 kV substation (the "Gateway Substation"). The proposed Gateway Substation is planned to include a 230 kV three-breaker ring bus, expandable to a future breaker-and-half configuration, with one 230/115 kV, 150 MVA transformer, and a four-breaker ring bus on the 115 kV side, also expandable to a breaker-and-half configuration.

The substation is located adjacent to the existing Platte River Power Authority ("PRPA") Boyd – Longs Peak 230 kV transmission line, which will run through the Gateway Substation. PRPA will be responsible for sectionalizing its line to accommodate the Gateway Substation, and will also construct the 230 kV transmission spans that are necessary to connect the substation to the line. The planned PRPA facilities will be designed, constructed, and owned by PRPA. As described in the testimony filed in support of this Application, Tri-State will work closely with PRPA to coordinate the connection of the PRPA 230 kV line to the Gateway Substation, but will not ultimately own or control the PRPA facilities. As such, the PRPA facilities associated with this project are not part of Tri-State's CPCN request.

In conjunction with the Project, Tri-State also proposes to construct certain 115 kV transmission facilities that are necessary to provide a second source for the new Gateway Substation and serve the forecasted load in the Project area. Specifically, Tri-State plans to construct a short 115 kV transmission line to interconnect with Tri-State's existing Boyd – Lone Tree 115 kV transmission line.

Tri-State's witnesses provide a description of these 115 kV facilities to give the Commission a comprehensive understanding of the Project and related facilities that will be used to serve the needs of Tri-State's Member Systems in the Project area.

The Project's 115 kV transmission facilities will be designed and constructed to meet the audible noise and magnetic field thresholds set forth in Commission Rules 3206(e) and (f). Tri-State believes that these facilities are properly considered as being constructed in the ordinary course of business and, therefore, pursuant to Commission Rule 3206(b), do not require a CPCN.¹

As described in the testimony filed in support of this Application, Tri-State's request for a CPCN is only for those facilities designed and constructed by Tri-State that are capable of 230 kV operation. To the extent the Commission determines that the proposed 115 kV transmission facilities require a CPCN in their own right or as part of the Project, Tri-State requests that the Commission grant such CPCN as part of this Application.

III. CPCN Requirement

Commission Rule 3206(b)(1) provides that "[a]ll utilities and electric cooperative associations . . . shall be required to file a CPCN application for all new transmission facilities . . . designed at 230 kV or above, even if initially operated at a lower voltage." Given the operating voltage of the Project, Tri-State submits this CPCN Application for the Project.²

¹ Nevertheless, Tri-State is providing testimony showing that these facilities meet the audible noise and magnetic field thresholds set forth in Commission Rules 3206(e) and (f).

² Given that the Project is an integral part of Tri-State's interconnected, interstate transmission system, Tri-State reserves all arguments related to the Commission's jurisdiction over the Project.

Transmission facilities designed for operation at or below 115 kV and which meet the reasonableness thresholds set forth in Commission Rules 3206(e) and (f) and which have not otherwise been determined by the Commission to be not in the ordinary course of business do not require a CPCN. Rule 3206(b)(I)-(II).

IV. Testimony and Exhibits Supporting this Application

Tri-State is submitting the testimony and exhibits of the following witnesses in support of this CPCN Application:

a. Christopher E. Pink. Christopher E. Pink is Tri-State's Technical Services/Bulk System Planning Manager. Mr. Pink will discuss the purpose and need for the Project from a transmission system planning and system improvement standpoint. Mr. Pink will discuss the identified and anticipated loads that give rise to the Project and the system studies performed by Tri-State that evaluated load serving alternatives for the Project area and confirmed the need for the Project. Mr. Pink will also discuss PRPA's involvement in the Project, and how the Project enhances the transmission system in Weld County, meets the needs of Tri-State's Member Systems, and preserves the interests of other utilities and stakeholders in the region. Finally, Mr. Pink will introduce Tri-State's other witnesses whose testimony supports the issuance of a CPCN for the Project.

b. Grant D. Lehman. Grant Lehman is Tri-State's Senior Manager, Transmission Engineering and Construction. Mr. Lehman will describe in more detail the technical aspects of the Project, including: the general design of the Project, the materials and techniques that Tri-State will use in constructing the Project, right-of-way needs, the estimated Project costs, and the construction and in-service schedule for the Project. Mr. Lehman will discuss Tri-State's planned steps

to mitigate the magnetic fields and audible noise associated with the Project and how the Project's magnetic fields and audible noise levels compare to the levels established by the Commission as being reasonable and not subject to further mitigation.

c. Robert L. Pearson. Dr. Pearson will discuss modeling of the projected magnetic fields and audible noise levels associated with the Project, the prudent avoidance techniques that can be employed to minimize magnetic field levels and audible noise associated with the Project, and how the modeled magnetic fields and audible noise levels compare to the thresholds set forth in the Commission's rules.

d. H. Steven Gray. Mr. Gray is Tri-State's Senior Manager, Land Rights Acquisition and Management. He will discuss land rights and acquisition issues associated with the Project, as well as Tri-State's outreach to and permitting requirements with local governments in support of the Project.

V. Information Required by Rule 3002(b)

a. Name and Address of Applicant. The Applicant is Tri-State Generation and Transmission Association, Inc. Tri-State's principal office is located at 1100 W. 116th Avenue, Westminster, Colorado, 80234-2814. Tri-State's mailing address is: Tri-State Generation and Transmission Association, Inc., P.O. Box 33695, Denver, CO 80233-0695.

b. Name Under Which Applicant Will Provide Service in Colorado. Tri-State conducts operations under its corporate name. Tri-State is incorporated under the laws of the State of Colorado.

c. Representatives to Whom Inquiries Concerning the Application Should Be Made. Copies of all notices, other correspondence, and all inquiries concerning this Application should be sent to:

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d. Agreement to Comply with 4 CCR 723-3002 (b)(IV)-(VI). Tri-State has read and agrees to abide by the provisions of subparagraphs (b)(IV) through (b)(VI) of Rule 3002 of the Electric Rules, consistent with the Commission's jurisdiction.

e. Description of Existing Operations and General Colorado Service Area. Tri-State is engaged in the generation, transmission, and sale of wholesale electric energy and capacity to its Member Systems within the states of Colorado, Nebraska, New Mexico, and Wyoming. Tri-State owns interests in electric generating facilities in the states of Arizona, Colorado, New Mexico, and Wyoming, and it owns transmission facilities in the states of Colorado, Nebraska, New Mexico, and Wyoming. As a provider of wholesale generation and transmission services, Tri-State does not have certificated service territory in Colorado.

f. Balance Sheet and Income Statement. A copy of Tri-State's 2017 Annual Report (which includes a balance sheet and cash flow and operations statements) is attached hereto and incorporated herein as **Exhibit A**.

g. Location of Hearing. If this Application is set for hearing, Tri-State requests that the hearing be held in Denver, Colorado; however, if no substantive interventions are filed, Tri-State requests that this Application be decided by the Commission without a hearing and processed as expeditiously as possible.

h. Acknowledgment. Tri-State has read and agrees to abide by the provisions of subparagraphs (b)(XI)(A) through (C) of Rule 3002 of the Electric Rules, consistent with the Commission's jurisdiction.

i. Statement Under Oath. This Application is verified by Tri-State's General Counsel, as evidenced by the Attestation attached hereto as **Exhibit B**.

VI. Information Required by Rule 3002(c)

a. A copy of Tri-State's Articles of Incorporation, with all amendments to date, is attached hereto and incorporated herein as **Exhibit C**.

b. The names of Tri-State's directors, officers, and Colorado agent for service are set forth on the list attached hereto and incorporated herein as **Exhibit D**.

c. The names and addresses of Tri-State's members are shown on the list attached hereto and incorporated herein as **Exhibit E**. The service territories of Tri-State's Member Systems are shown on the map attached hereto and incorporated herein as **Exhibit F**.

VII. Additional Information Required by Rules 3102 and 3206

a. Facts Relied Upon to Show the Public Convenience and Necessity Require Granting this Application. The primary purpose of the Project is to facilitate electric service to identified and forecasted native load growth in PVREA's service territory. The specific facts explaining the purpose of and need for the Project are

set forth in the direct testimony and exhibits of Tri-State's witnesses, which testimony and exhibits are filed contemporaneously herewith and incorporated herein by reference.

b. Description of the Proposed Facilities to Be Constructed. The project consists of a new 230/115/12.47 kV substation (the "Gateway Substation"). The proposed Gateway Substation is planned to be a 230 kV three-breaker ring bus substation, expandable to a future breaker-and-half configuration, with one 230/115 kV, 150 MVA transformer, and a four-breaker ring bus on the 115 kV side, also expandable to a breaker-and-half configuration.

Additional information concerning the proposed facilities to be constructed is set forth in the direct testimony and exhibits of Tri-State's witnesses, which testimony and exhibits are filed contemporaneously herewith and incorporated herein by reference.

c. Project Cost. The estimated cost of the Project is \$16.2 million. This cost is an estimate and may be revised as the Project is developed.

d. Construction Schedule. The Project is scheduled to begin construction in the second quarter of 2019 and all components are expected to be completed in the fourth quarter of 2019. The project is expected to be in service by the end of 2019.

e. Project Map and Electric One-Line Diagrams. A map showing the location of the Project, population centers, major highways, and county and state boundaries is attached as **Exhibit G** to this Application. Electric one-line diagrams are attached as **Exhibit H** to this Application.

f. Alternatives Studied. Information concerning alternatives studied and criteria used to rank or eliminate alternatives is presented and discussed in the direct testimony of Christopher E. Pink.

g. Prudent Avoidance of Magnetic Fields and Mitigation of Audible Noise. Information concerning the prudent avoidance and mitigation measures proposed to be employed with respect to magnetic fields and audible noise associated with the Project, as required by Rule 3102(b)(IX), (c), and (d), and Rule 3206(e) and (f), is discussed in the Direct Testimonies of Dr. Robert L. Pearson and Grant D. Lehman.

h. Consistency With Ten Year Transmission Plan (Rule 3206(h)). Tri-State did not include the Project in its portion of the 2016 Joint Ten Year Transmission Plans for the State of Colorado filed by Black Hills/Colorado Electric Utility Company, Public Service Company of Colorado, and Tri-State because the need for the Project arose after the 2016 Plan was filed. Tri-State included the original version of this project in its 2017 Rule 3206 filing in Docket No. 17M-005E (filed April 27, 2017), wherein the Project is identified on page 26. As Mr. Pink explains in his testimony, the project has changed since that filing due to changed circumstances. The Project was not included in the 2018 Joint Ten Year Plan filed on February 1, 2018 because it was still evolving at the time that plan was being developed and finalized. The Project was included in Tri-State's 2018 Rule 3206 filing in which it is discussed on page 26.

VIII. Conclusion

The direct testimony and exhibits submitted with this Application satisfy the requirements of the applicable statutes and the Commission's Rules and support the issuance of a CPCN for the Project.

WHEREFORE, Tri-State respectfully requests that:

(a) the Commission grant Tri-State a CPCN for the Gateway Transmission Project;

(b) the Commission find that the 115 kV transmission facilities to be constructed in conjunction with the Project are in the ordinary course of business and do not require a CPCN or, in the alternative, grant a CPCN for such facilities;

(c) if no substantive interventions are filed and granted in connection with this Application, this Application be decided by the Commission without a hearing and processed as expeditiously as possible;

(d) pursuant to § 40-6-109.5, C.R.S. and Commission Rule of Practice and Procedure 1303, the Commission issue its decision on this Application no later than 120 days after the Application is deemed complete;

(e) consistent with Rule 3206(e), the Commission make specific findings that the expected maximum level of magnetic fields that could be experienced under design conditions at the edge of the Project's property boundaries and transmission line rights-of-way, at a location one meter above the ground, are 150 mG or less and are, therefore, reasonable and need not be mitigated to a lower level; and

(f) consistent with Rule 3206(f), the Commission make specific findings that the projected level of audible noise radiating beyond the Project's property lines and transmission line rights-of-way at a distance of 25 feet are less than 50 db(A) and are, therefore, reasonable and need not be mitigated to a lower level.

Submitted this 17th day of May, 2018.

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