

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 09M-616E

**COMMENTS OF WYOMING-COLORADO INTERTIE, LLC, AND THE
WYOMING INFRASTRUCTURE AUTHORITY**

IN THE MATTER OF INTEGRATED PLANNING FOR CONSTRUCTION OF
ELECTRIC TRANSMISSION FACILITIES PURSUANT TO § 40-4-117, C.R.S.

Wyoming-Colorado Intertie, LLC, a member of the LS Power group of companies, and the Wyoming Infrastructure Authority (jointly, the “WCI Developers”) are the developers of the Wyoming-Colorado Intertie Project (“WCI”), a proposed high-voltage transmission line that would ameliorate congestion on the TOT 3 interface between southeastern Wyoming and northeastern Colorado, increase system reliability, provide delivery of a currently “orphaned” high quality wind resource in southeastern Wyoming and allow expanded economy energy sales between Colorado and Wyoming. The WCI Developers are pleased to offer the following comments on the Commission’s Transmission Planning Proposal (the “Proposal”) attached to Decision No. R10-0083-I.

Introduction

The WCI developers commend the Commission for taking the initiative to address some of the current problems that may prohibit the development of a more efficient and economic transmission system for Colorado. The following comments have three overarching principles that the WCI Developers feel must be considered the proposal.

First, as identified by the Commission, “generation and transmission need to be made in a strategic, coordinated, and cost-effective manner.” The Proposal appears to focus almost exclusively on transmission needed for reliability purposes in Colorado without consideration of the overall economics of delivered energy. The WCI Developers believe that the economics of generation + transmission should be considered along with reliability needs when creating a transmission plan that is best for Colorado.

Second, the WCI Developers suggest that the Commission and the state of Colorado should not rely solely on the incumbent utilities to plan and construct new transmission facilities. Independent transmission developers bring unique ideas and planning principles that may provide for a more efficient, more reliable, and more economic system. In addition, independent transmission developers may have access to lower cost financing and innovative design and construction techniques that lower the overall cost. The WCI Developers believe that the Proposal will limit the ability for independent transmission developers to participate in meaningfully in transmission planning and even more limit their ability to construct transmission facilities on a level playing field relative to the incumbent utilities.

Third, transmission planning considered in the Proposal should be Colorado relevant, but not limit itself to state borders. Regional transmission issues outside of state borders can have significant impacts on Colorado.

Background

The WCI Developers read the Proposal as part of a possible response by the Commission to a directive of the Colorado legislature that the Commission report to the legislature by July 1, 2010, “on the integrated transmission plans of owners and operators

of transmission facilities in Colorado.” Colo. Rev. Stat., 40-4-117(1). That statute codifies House Bill 09-1345, enacted in the 2009 session of the Colorado general assembly. The legislative declaration of the bill stated:

The general assembly finds, determines and declares that coordinated and integrated planning of the construction of electric transmission lines is ***critical to the development of Colorado’s vast renewable energy resources and to the improvement of the Western regional power grid***, benefiting all Coloradans. Further, the state’s long-term economic viability depends upon continuing ***improvements in the efficiency of state and regional energy markets***. The general assembly therefore finds that the public utilities commission should confer with all owners and operators of transmission facilities in Colorado and with affected stakeholders and report to the general assembly on the integrated intermediate-term and long-term plans for ***improving transmission in Colorado and the region***.

Emphasis supplied.

The legislation specifically required the Commission, in preparing its report to the legislature on the “integrated transmission plans of owners and operators of transmission facilities in Colorado,” to rely on “existing or pending transmission plans” of transmission providers as of December 31, 2009, “rather than requiring the preparation of new plans.” Colo. Rev. Stat., § 40-4-117(3)(a).

The legislation further specifically required that in its report the Commission address the following aspects of existing transmission providers’ plans:

- (a) The ***adequacy*** of the integrated transmission plan;
- (b) Whether the integrated transmission plan is appropriately ***coordinated with transmission plans of other states and transmission operators in the region***; and
- (c) ***Whether future legislative action is required*** to ensure continued progress with respect to the transmission system in Colorado.

Colo. Rev. Stat., § 40-4-117(2). Emphasis supplied. The argument could be made that paragraphs (a) and (b) of this statutory subsection deal only with transmission *planning* (“the integrated transmission plan,” “coordinated transmission plans”). This would in turn argue for an interpretation that the legislature was interested in receiving information only about the planning function, nothing more. On the other hand, the word “plan,” not the word “planning,” is the word the subsection uses. It could be argued that “plan” in this sense does not refer narrowly to the planning function, but to the larger issue of developing and building a transmission system that on a timely basis meets the objectives enumerated in the legislative declaration (e.g., development of renewable resources, improvement of the Western grid, improvement of regional energy markets). This broader interpretation of what the legislature had in mind would be supported by the language in paragraph (c) of subsection 40-4-117(2). Paragraph (c) mentions neither a “plan” nor the function of “planning.” It instead addresses “continued progress with respect to the transmission *system*.” Emphasis supplied.

All of this is to say that the legislature’s directive to the Commission in HB09-1345 may be broader than simply looking at how the transmission planning function is performed, and whether it could be improved. The legislature may be wanting the Commission to examine, as well, how transmission planning translates into transmission system development, construction and operation.

The Proposal itself seems to take this view. Thus, the Proposal provides an impressively thorough review of considerations that militate in favor of a “change in policy to ensure that an adequate transmission *system* exists in Colorado.” Proposal at page 4; emphasis supplied. These considerations, listed at pages 4-6 of the Proposal,

include *the need to synchronize generation resource acquisition with transmission planning*; the need to be able to implement a long-term coherent transmission plan in stages; the need to conduct transmission planning in accordance with the nine principles FERC articulated when it issued Order 890; the need in the conduct of transmission planning to anticipate the impacts of evolving carbon reduction, renewable portfolio standard and energy efficiency policies; and *the need to develop cost allocation methodologies to enable planning for “multi-state, multi-utility, multi-purpose, and renewable integration”* transmission projects.¹ While the word “planning” is used in individual items in the list, it is clear that the Commission itself is talking not about the planning function in a vacuum, but about both planning and the *implementation* of plans.

The Proposal identifies areas in which the transmission plans of existing transmission providers in Colorado are adequate and areas in which they are inadequate, consistent with section 40-4-117(2)(a). The Proposal also identifies aspects in which the plans of the existing transmission providers in Colorado are not appropriately coordinated *with each other*, though it does not directly address whether the plans are appropriately coordinated *with transmission plans of other states and transmission operators in the region*, as section 40-4-117(2)(b) requires. Finally, the Proposal does not address whether future legislation is required to, in the words of section 40-4-117(2)(c), “ensure continued progress with respect to the transmission system in Colorado.”

The Proposal ultimately recommends that planning studies already currently conducted and shared by and among transmission-owning utilities in Colorado through the Colorado Coordinated Planning Group (“CCPG”) be recalibrated in order to: (1) address through six joint plans or studies, each cooperatively prepared by the affected

¹ Proposal, page 6. Emphasis added.

transmission providers, the transmission needs of six defined Colorado sub-regions that correspond roughly to areas in which one or more of the various current incumbent electric utility transmission providers serve; and (2) produce a similar cooperatively prepared statewide plan to address the transmission needs of Colorado as a whole. Proposal at pages 12, 14. The Proposal also recommends that, to the extent the activities of the existing CCPG transmission providers “involve a multi-state region, then [their existing] studies will be coordinated under WestConnect or WECC, as appropriate.” *Id.* Finally, the Proposal recommends that these recalibrated but essentially business-as-usual studies² already performed by existing CCPG utility transmission providers show five- and ten-year “planning” horizons,³ and in addition present twenty- and thirty-year “conceptual” planning perspectives.⁴ All of these various studies would be filed biannually with the Commission.

The Proposal is elegant in its simplicity. It takes advantage of the existing transmission planning apparatus and culture of existing state transmission providers that over the years have led to information sharing under what the Proposal deems the “umbrella” of the CCPG.⁵ Since the Commission lacks jurisdiction over certain of these providers, the CCPG umbrella indirectly allows the Commission to achieve a useful statewide transmission perspective that it might not otherwise gain. The Proposal urges greater coordination while not requiring existing CCPG transmission providers

² “While the Proposal places increased emphasis on the single-system planning concept, nevertheless it does not increase the scope of the planning effort.” Proposal, page 12 (emphasis in original).

³ Proposal at pages 14-15.

⁴ Proposal at page 18.

⁵ The Proposal at page 7 observes that the CCPG already “provides a technical forum [for incumbent utility transmission providers] to complete reliability assessments, develop joint business opportunities, and accomplish coordinated planning under the single-system planning concept. Individual members study the geographic areas in which they have an interest. Studies and reports are summarized in reports and made available for general review.”

significantly to increase their current Colorado-centric, utility-load-centric transmission planning efforts or workload. By requiring planning studies to be filed biannually at the Commission, the Proposal addresses problems of transparency, since both CCPG and individual utility planning data are currently sometimes inaccessible.⁶

These are all admirable virtues. Despite them, however, the WCI Developers must raise the question of whether the Proposal may fall short of what the legislature contemplated when it enacted House Bill 09-1345. In part this relates back to the earlier discussion of whether the legislative directive to the Commission in section 40-4-117 was to report on the transmission planning, narrowly considered, or on both the planning function and the implementation of transmission plans so as to build a useable transmission *system*. As noted, the Proposal takes the latter view—the “Commission takes seriously the need for a change in policy to ensure that an adequate transmission *system* exists in Colorado” (emphasis supplied). Then, however, after reviewing all the considerations that militate in favor of a better approach to implementing such a system than exists today, the Proposal in the end limits its concrete recommendations to requiring the reporting by transmission providers to the Commission of planning information already submitted by these providers in the ordinary course of business to the CCPG. In the Proposal’s own words:

Hence, the basic change proposed in the Proposal is that information will be submitted to the Commission reflecting coordinated planning that is currently taking place.

Proposal, page 11.

⁶ The Proposal notes that “very few” transmission planning studies performed by CCPG are available on its website. Proposal, page 19. In addition, “[i]nformed transmission planning professionals have...difficulty in locating the data and reports on the various websites maintained by individual transmission providers.” Proposal, page 20.

In the legislative declaration of HB09-1345, the legislature specifically indicated that in enacting this new law its goals included “improvement of the *Western regional power grid*,” “improvements in the efficiency of state *and regional energy markets*,” and “improving transmission in Colorado *and the region*.” Emphasis supplied. The Proposal does not clearly or directly address or provide a means of achieving these objectives, at least insofar as they relate to the regional power grid and regional energy markets. The Proposal does not address “whether the integrated transmission plan [of the state and of the various existing transmission providers in the state] is appropriately coordinated with transmission plans of other states and transmission operators in the region,” as required by section 40-4-117(2)(b). Nor does the Proposal address the important question section 40-4-117(2)(c) directs it to answer—whether legislation may be needed to remedy state and regional system coordination problems, as well as to remedy some of the inadequacies in the incumbent transmission providers’ existing plans and approaches to planning that the Proposal identifies.

The WCI Developers would respectfully urge the Commission to consider expanding the scope of the Proposal to do the following.

1. Inform the legislature that (a) the current transmission planning of incumbent Colorado load-serving utilities is not adequately “coordinated with transmission plans of other states and transmission operators in the region” within the terms of section 40-4-117(2)(b);” and (b) this inadequacy hinders “improvements in the efficiency of state and regional energy markets” on which the legislative declaration of HB09-1345 states Colorado’s “long-term economic viability depends.”

As the Proposal suggests, existing incumbent Colorado electric transmission providers primarily consider the needs of their own service areas and their own loads when planning and building new transmission. They may report on and share information about each other's system needs and projects through the CCPG, but as the Proposal notes neither the providers, individually, nor the CCPG as an organization typically goes the next step to integrate utility-load-centric plans into subregional state or overarching statewide transmission plans using single-system planning concepts. The Proposal contains several useful suggestions on how progress toward such planning can be made, and in passing suggests that the planning exercise should consider "multistate transmission projects."⁷

The WCI Developers would urge the Commission to go further, and to inform the legislature that under the current planning regime needed and potentially cost-effective reinforcements of the interstate regional system are chronically ignored.

The current transmission planning regime has resulted in the failure by Colorado utilities for at least fifteen years to address several widely recognized regional interstate transmission constraints. A prime example is the north-to-south TOT 3 constraint between southeast Wyoming and northeast Colorado. Why current transmission planning entities in the CCPG have failed to address regional constraints such as TOT 3 is revealed in the following excerpt from a CCPG long-range transmission planning study prepared in 2004.⁸

⁷ Proposal at page 14.

⁸ Colorado Long Range Transmission Planning Group (CLRTPG), April 2004 Colorado Long Range Transmission Planning Study, page 6. The CLRTPG, which is a CCPG subcommittee, consists of Aquila Networks, Colorado Springs Utilities, Platte River Power Authority, Tri-State Generation and Transmission, Western Area Power Administration, and Xcel Energy/Public Service Company of Colorado. The report was accessed at http://www.oatioasis.com/TSGT/TSGTdocs/CLRTP_FINAL_REPORT_42704.pdf.

The focus of the [CCPG long-range transmission planning] study was to evaluate transmission additions in the Front Range that would accommodate 2014 forecasted loads and potential future generation resources located in Colorado. All of the new generation resources were placed in the eastern half of Colorado. *** *The transmission path from the north, TOT 3, is ... limited. There have been numerous discussions and studies of alternatives over the years to increase its transfer capability, but there have been no commitments to build new transmission. Studies for this path are complex and time-consuming. The TOT 3 limit is dynamic which introduces more uncertainty into the amount of additional capacity that might be obtained and is necessary for economic evaluation by a prospective transmission provider. Therefore, in the interest of time and with prudent reasoning, the group focused on generation additions in the eastern half of the state. Given that the generation additions were within the TOT boundaries, the TOTs were only considered from the perspective of maintaining existing import capability. It is anticipated that the CLRTPG will evaluate the expansion of the major Colorado TOTs in future studies.*

Emphasis supplied. In other words, the CCPG transmission providers in their 2004 long-term transmission planning study “planned” a solution to the TOT 3 constraint by not dealing with the issue. As the study put it, this was not just because solving the problem of congestion over TOT 3 would be difficult and time-consuming. It was also because the participants knew they could defer addressing the problem by locating more generation and transmission in eastern Colorado close to their own load areas—even though, from a regional perspective, this approach would serve further to island Colorado from the generation resources of neighboring states and neighboring utility systems.

In 2008, the WCI Developers appeared before the CCPG and in many other forums to offer the WCI as a partial solution to the TOT 3 constraint. In recognition of this, the CCPG in a January, 2009, update to the 2004 long-range planning study excerpted above included the WCI as part of one alternate study scenario in a possible 2018 buildout of the northern part of the Colorado transmission system. The study

concluded, not surprisingly, that the intertie would significantly relieve TOT 3 stress.⁹ This perhaps could have been deduced without a study. The fact remained that without a proposal from an independent transmission provider to build the intertie, the load-serving utility transmission providers of the CCPG would have continued to avoid dealing with the TOT 3 congestion problem at all.

The TOT 3/WCI example highlights a deficiency in current transmission planning that the Proposal could usefully address. The point is not whether the WCI was needed or not needed, but that it was a known constraint impacting Colorado that was not adequately studied. Years of the current planning approach have resulted in Colorado's being cut off from power import and export markets in other states. The "islanding" of the state is in part a result of (a) the reluctance of the individual incumbent transmission providers to commit funds to build infrastructure that each does not exclusively control; and (b) the absence of a clear set of cost sharing or cost allocation principles that would assure reasonable cost recovery to transmission providers who build new interstate transmission. Until such reluctance is overcome and standardized and transparent rules for cost recovery are put in place, the single-system planning concept advocated in the Proposal cannot effectively take hold for regional projects, and the "improvements in the efficiency of ...regional energy markets" that the legislature wanted when it enacted HB09-1345 will not be realized.

⁹ See Colorado Long Range Transmission Planning Group (CLRTPG), January 9, 2009, Colorado Long Range Transmission Planning Study, page 8 and *passim*. The report may be accessed at http://www.westconnect.com/documents_results.php?categoryid=73.

The WCI Developers submit that it is important for the Commission to apprise the legislature of this in the course of fulfilling the Commission's mandate under section 40-4-117(2)(b).¹⁰

2. Acknowledge in the Proposal that non-utility transmission developers can play a role in planning and constructing Colorado transmission facilities and may bring unique perspectives and opportunities to the benefit of Colorado. And that they are stepping in where the incumbent transmission providers have failed to act, serving both as catalysts for and participants in proposals to strengthen state and regional transmission infrastructure.

In Texas and in parts of the West, major new intra- and inter-state transmission system upgrades are being proposed and built by independent transmission providers. These independent transmission entities are doing so because they provide benefits that are in the public interest or because the incumbent transmission providers have failed to do address a need for transmission. For example, when planning the CREZ transmission build-out to integrate wind into Texas, the Texas Public Utility Commission found that a mix of incumbent transmission providers and independent new entrants was well suited to construct the needed transmission facilities. Another example is the Southwest Intertie Project ("SWIP") in Nevada and Idaho which is also being developed by a member of LS Power Group. The SWIP is able to provide significant benefits to ratepayers because of: its unique financing arrangements; its potential innovative tower designs that reduce environmental impacts and construction costs while maintaining high reliability; and

¹⁰ The sections states: "The commission's report shall address: *** (b) whether the integrated transmission plan is appropriately coordinated with transmission plans of other states and transmission operators in the region."

maybe most importantly because of its large regional nature that spans multiple utility footprints.

Most of the new projects proposed by independent entities are considered critical to enable urban load centers to access new electric generation from rich but currently remote and undeveloped renewable energy resource areas. In Colorado, in addition to the Wyoming-Colorado Intertie, a major interstate regional transmission system upgrade that falls in this category is the so-called High Plains Express, or HPX. The HPX is proposed as backbone transmission running south from Wyoming through eastern Colorado, then into New Mexico and on to Arizona. It would increase system reliability in a four-state region as well as allow large wind and solar resource areas to develop renewable generation that could then be delivered to load. Both traditional utility and non-traditional independent transmission providers are involved in the planning and scoping of the HPX.¹¹

The WCI Developers respectfully submit that it would be useful for the Commission in the Proposal to acknowledge and recognize the role as both catalysts and as builders of transmission infrastructure that independent transmission providers have begun to play in state and regional transmission development, both in Colorado and in other parts of the country. The Commission should inform the legislature that it may be important to involve these independent providers in the future development of backbone transmission upgrades within Colorado, as well as in the development of a regional energy market in which Colorado can actively participate as both importer and exporter, a market that will allow vast reserves of stranded Colorado renewable energy resources

¹¹ The HPX has begun its Phase 2 feasibility study and has received the endorsement of the Transmission Expansion Planning Policy Committee (TEPPC) of the Western Electricity Coordinating Council. Further information about the project may be accessed at: http://www.rmao.com/wtpp/HPX_Studies.html.

to be brought into production. The role of independent transmission providers in conceptualizing, proposing, developing and standing ready to participate in new state projects, as well as in regional projects such as the WCI and the HPX, fundamentally alters the business-as-usual planning paradigm that has historically guided organizations such as the CCPG. Without an acknowledgment of this, the WCI Developers respectfully submit, the Proposal is incomplete, and the legislature will not fully understand the changing business environment in which transmission planning and development henceforth must be conducted.

3. Apprise the legislature (a) that the current legal framework for generation resource acquisition, power line siting, and cost recovery for major new facilities militates against the development of robust regional energy markets; (b) that current rules and statutes encourage the very type of “islanding” that over a number of years has isolated Colorado from import and export markets in neighboring states; (c) that Colorado must change the legal paradigm in order to enable independent transmission providers effectively to participate, and in order to speed up, synchronize and simplify the building of new state and regional transmission; and (d) that the Commission is ready, willing and able to take the lead in articulating a vision for how to bring a new paradigm into being.

The Commission has undertaken and continues to undertake important steps to try to coordinate electric utility generation resource planning with transmission development,¹² to simplify the need certification process for the construction of new in-

¹² See, e.g., Rule 3607(c) of the Commission’s Electric Resource Planning Rules, 4 *Colorado Code of Regulations* 723-3.

state utility-owned transmission facilities,¹³ and to examine the interface between utility transmission siting and local land-use permitting decisions.¹⁴ Despite these steps, as the Proposal itself recognizes, additional steps are needed. In the words of the Proposal, there is a “need for a change in policy to ensure that an adequate transmission system exists in Colorado.”¹⁵

In that spirit, the WCI Developers would urge the Commission to use the opportunity afforded by HB09-1345 to delve more deeply into the question of whether some of the inadequacies of the current transmission planning process may only be solved if there are changes in existing law. Specifically, the WCI Developers would urge the Commission to examine how the existing legal paradigm for synchronizing new transmission and new generation, for siting new transmission, and for cost recovery for interstate regional transmission may delay or prevent Colorado from developing new transmission infrastructure projects such as the WCI and the HPX that would improve regional energy markets—an objective on which the legislature has declared in HB09-1345 that the state’s long-term economic viability depends. The current legal and regulatory paradigm assumes that traditional load-serving utilities, and these entities alone, will initiate, build and operate new transmission facilities. Proposals for facilities like WCI and HPX, by contrast, assume that independent transmission providers will develop and build new facilities, either by themselves (WCI) or in conjunction with the traditional utility transmission providers (HPX). As discussed above, independent

¹³ See Decision No. C09-1405 in Docket No. 09R-904E.

¹⁴ The Proposal states that “[c]omments on and discussion of permitting issues [in the context of Commission authority under Colo. Rev. Stat., § 29-20-108(5)] will be explored in parallel with” the Proposal. Proposal at page 3.

¹⁵ Proposal at page 4.

providers have begun at least in part to fill a vacuum created by the failure of the incumbents to undertake projects that did not meet their short-term, load-centric needs.

The Commission is eminently qualified and equipped to educate the legislature as to why the current legal paradigm is insufficient to the needs of our time, and to recommend legislative changes that would address the current paradigm's shortcomings. Changing the paradigm may, like addressing the TOT 3 congestion problem, be complicated and time-consuming. But change is essential if regional interstate transmission and regional energy markets are to flourish.

The WCI Developers would urge the Commission to address for the legislature's benefit possible change-of-law questions such as the following, most of which are implicit if not explicit in the thorough and careful analysis of the Proposal. :

- Whether in the current legal and regulatory framework, even as improved by suggestions made in the Proposal, it is possible to realize the true benefits of new transmission needed to enable renewable generation and increase reliability, or whether new procedures are required that better synchronize renewable generation acquisition and the construction of the new transmission that can deliver it. On the one hand, in the current resource planning process the delivered costs (inclusive of transmission) of different renewable resources are compared, but if new network transmission is required for a particular new renewable resource, no credit is given in the resource cost comparison to the increased reliability and potential economy energy value that comes with the associated new network transmission. On the other hand, in the current transmission

planning process the value of increased reliability from a new network addition is examined and quantified, but the value of the potential new renewable generation and the potential new economy energy benefits made available by the network transmission addition are not similarly examined and quantified.¹⁶

- ❑ Whether there need to be cost recovery and cost allocation principles associated with funding major new backbone transmission projects and projects that improve regional energy markets so as to permit both traditional load-serving utilities and non-traditional independent transmission providers to undertake such projects with advance certainty they will be able to recover their costs.
- ❑ Whether the state of Colorado would benefit from acting legislatively to implement some of the action items raised by FERC in connection with the promulgation of Order 890, but left unsettled and unresolved, including whether “an independent third party coordinator would provide benefits for transmission planning;” “how to encourage[] state regulators to collaborate among themselves on regional projects”; and “whether there should be a principle or requirement regarding cost recovery and allocation associated with funding the regional [transmission] planning requirement;”¹⁷

¹⁶ It may be that the intent of Senate Bill 07-100, codified now as Colo. Rev. Stat., § 40-2-126, was to quantify the renewable energy resource benefits that new transmission projects have the potential to unleash. Such quantification has to date not occurred in practice, however.

¹⁷ Proposal at pages 9-10.

Conclusion

The analysis and discussion of transmission issues in the Proposal is impressively discerning and complete. The Proposal on its own terms and in its own words argues that major changes in policy are needed to assure that state and regional transmission systems are adequate to the needs of our time. The Proposal's recommendation that current planning work performed by the CCPG be modified, recalibrated and filed with the Commission is an important and useful first step toward the changes in policy that the Proposal declares to be necessary. The WCI Developers respectfully urge that this first step by itself is not a sufficient response to the legislature's directive to the Commission in H 09-1345. The directive in subsection 40-4-117(2), read in conjunction with House Bill 09-1345's legislative declaration, suggest that the legislature wishes the Commission to report to it about more than the transmission planning function narrowly considered, or considered in a vacuum. The legislature wishes the Commission to report to it about how transmission planning, development and construction should be conducted henceforth in order to open up markets and unleash more renewable generation development. The Proposal provides a sound platform for such broader reporting. The WCI Developers urge the Commission to build on that platform and to consider some of the suggestions laid out in these comments in that building process.

Dated February 19, 2010.

Respectfully submitted,

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CERTIFICATE OF FILING

I certify that on or before February 19, 2010, I caused the original and seven (7) paper copies of the foregoing COMMENTS OF WYOMING-COLORADO INTERTIE, LLC, AND THE WYOMING INFRASTRUCTURE AUTHORITY to be filed with the Colorado Public Utilities Commission, 1560 Broadway, Room 250, Denver, Colorado 80202, and also caused an electronic copy thereof to be e-filed at the Commission pursuant to the Commission's e-filing protocols.

/s/ Jeffrey G. Pearson