

STATE OF COLORADO

PUBLIC UTILITIES COMMISSION

Ronald J. Binz, Chairman
James K. Tarpey, Commissioner
Matt Baker, Commissioner
Doug Dean, Director

Department of Regulatory Agencies

D. Rico Munn
Executive Director



Bill Ritter, Jr.
Governor

March 31, 2009

Transmission Infrastructure Program
Western Area Power Administration
P.O. Box 281213
Lakewood, CO 80228-8213

Dear Sir or Madam:

We are pleased to submit written comments on the Transmission Infrastructure Program being proposed to implement Section 402 of the American Recovery and Reinvestment Act of 2009.

Section C (Policies and Practices) of the Request for Public Comments indicates that Western will be establishing additional factors to evaluate proposed projects as necessary, and that Western may, at its discretion, use outside expertise to assist in evaluating proposed projects seeking funding under Section 402 of the Act. This is the first area on which the Commission would like comment.

The Commission, like most state utility commissions, has significant experience and regulatory authority over the planning, development and implementation of transmission that is located within Colorado, interconnects Colorado with its neighboring states, or traverses the state. Colorado has a legislatively-mandated renewable portfolio standard, a legislatively-mandated transmission planning process, and a climate action plan developed by the Governor's office. Together, these laws and policies inform our state's transmission planning decisions.

As you can see, new transmission construction by Western will be welcomed in Colorado, and can complement our efforts to develop substantial renewable resources in our state. To that end, we propose that Western design a process that gives western state utility commissions a "seat at the table" in deciding which renewable transmission projects should receive funding under Section 402 of the Act. We encourage Western to work closely with the state regulators to determine which projects to fund so that results are complementary to state policies and result in the greatest regional benefits. To that end, we recommend that Western establish an advisory council of state public utility commissions for the purpose of actively participating with Western in the project evaluation process.

In the alternative, Western should request that state utility commissions provide written comments on proposed projects seeking funding under Section 402 of the Act and accord these

1560 Broadway, Suite 250, Denver, Colorado 80202, 303-894-2000

www.dora.state.co.us/puc
TTY Users 711 (Relay Colorado)
Permit and Insurance (Outside Denver) 1-800-888-0170
Consumer Affairs 303-894-2070

Fax 303-894-2065
Transportation Fax 303-894-2071
Consumer Affairs (Outside Denver) 1-800-456-0858

comments substantial deference in its decision making. At a minimum, Western should solicit written criteria from state utility commissions for prioritization and evaluation of proposed projects.

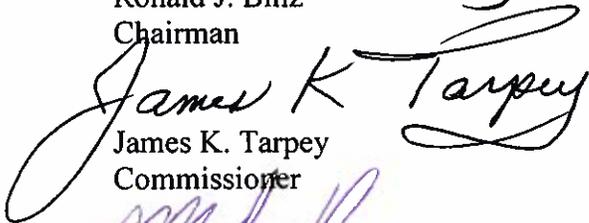
Further, the summary provided in the Federal Register and in Section 402 of the Act announces that one of the purposes of the Transmission Infrastructure Program is *studying* the construction of new or upgraded electric power transmission lines and related facilities. We would like to inquire how Western intends to evaluate any requests for studies of construction projects. Will the same criteria as those listed in Section IV of the Federal Register be applied in selecting which studies to fund? If not, then how does Western intend to prioritize and ultimately choose which studies to fund?

We hope that these comments are helpful in establishing Western's policies and procedures for the evaluation of proposed projects. Please do not hesitate to contact any of the Colorado Commissioners or Dr. Larry Shiao of the Commission Staff at (303) 894-2877 or larry.shiao@dora.state.co.us if you have any questions or if we can assist you in any way.

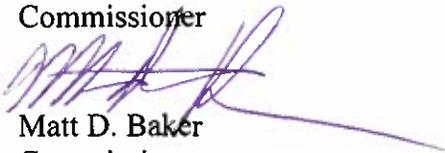
Sincerely,



Ronald J. Binz
Chairman



James K. Tarpey
Commissioner



Matt D. Baker
Commissioner