

August 2, 2024

Colorado Electric Transmission Authority
Attn: Maury Galbraith, Executive Director

RE: CETA Draft Principles of Community Engagement

Mr. Galbraith-

Thank you very much for the opportunity to provide Comments in response to the Colorado Electric Transmission Authority (“CETA”) draft Principles of Community Engagement. The Colorado Solar and Storage Association (“COSSA”) is pleased to present these comments in response.

INTRODUCTION

CETA was created to facilitate new transmission development in Colorado and help the state to meet its ambitious clean energy goals. CETA’s Strategic Plan notes that “CETA’s purpose is to facilitate the expansion of electric transmission facilities to enable Colorado to meet its clean energy goals, increase grid reliability, and aid in economic development.” In our opinion, CETA’s mission should be focused primarily on meeting transmission needs, improving transmission planning, and on building of new transmission in a timely, efficient and cost-effective manner. Any Principles of Community Engagement should help accomplish this primary mission and should have a goal of making transmission siting more efficient and cost-effective. The Community Engagement Plan that CETA ultimately adopts certainly should not do the opposite. We are concerned that the current draft Principles may indeed do the opposite, and could further slow down all transmission projects. First and last, the CETA Board should consider if its Community Engagement Plan is creating enabling conditions or disabling conditions? Is it creating tailwinds that will help move projects along or headwinds that new projects must fight against?

We encourage CETA to therefore structure any Principles of Community Engagement as guidelines and not requirements. We note that Colorado does not currently have a major problem siting new transmission lines. Colorado is moving forward with developing the Colorado Power Pathway. By all accounts, Xcel Energy is moving forward securing County level approvals and acquiring ROW for siting the line, which is the biggest transmission project in state history. Tri-State Generation and Transmission is likewise moving forward with several large, new transmission lines. Colorado is not like the Northeastern US where citizen groups have been fighting for a decade against a large transmission line to Canada that would bring good hydro into the US. We would ask the question: “What problem are we trying to solve” with the proposed Principles of Community Engagement, which is an expansive and probably expensive community engagement process.

We would also point out the importance of County Commissioners, who should be recruited as collaborators in any community engagement process. Rural counties in Colorado are by in large very interested in having new wind and solar projects sited in their counties and generally support the transmission lines that would take this energy to load

centers in the state. For example, when the Colorado Power Pathway was under consideration for a CPCN at the PUC, the County Commissioners of Prowers County, Colorado, sent a letter of support for Pathway Section 6 (referred to as the May Valley-Longhorn Extension – see attached copy of the letter). The Commissioners referred to the economic benefits this transmission line, and eventual wind and solar generation would bring to Baca, Las Animas and Prowers Counties. A second example is the concerted efforts by Commissioners in the San Louis Valley to facilitate more transmission into the Valley for reliability and for the export of new solar generation. The draft Community Engagement Plan does not really address the fact that County governments in rural Colorado will more than likely collaborate with CETA and its prospective partners to get community acceptance of good projects. We feel that engagement with County Commissioners should be an important first step in any general CETA community engagement plan.

Finally, we would recommend that any community engagement process that is put forward by CETA should be in the form of guidelines rather than requirements. Transmission projects promoted by CETA will no doubt vary widely in size and scope. Requirements that may be appropriate for one project may be overboard for another. There should be great flexibility in how specific community engagement processes for a given project are conceived and implemented. The implementation will also no doubt depend on the area of Colorado where the project will take place. Working with county commissioners on how an engagement plan will be implemented in their counties will be very important. CETA should also be concerned that requirements for community engagement could ultimately apply to new generation in Colorado if they are used to set a precedent. This potential risk further demonstrates the need for guidelines rather than requirements.

SPECIFIC RECOMMENDED CHANGES TO TEXT

The following are specific changes we recommend to the text of the draft engagement document. In addition to these changes, we support the more detailed changes recommended by Interwest.

1. Change the opening paragraph to the following:

The Colorado Electric Transmission Authority (CETA) is committed to fostering transparent, credible, and open public engagement processes; meaningfully involving local communities, Tribes, and other governmental entities, as appropriate; balancing the needs of the state for new transmission facilities with the interests of landowners and communities impacted by those facilities; and ensuring long-term commitments from the owners/operators of the resulting transmission facilities to appropriately maintain the facilities and any contractual agreements with landowners and communities.

A general note, the “developer” identified in the opening paragraph may sell the transmission facility to another party, which may result in maintenance and other commitments passing to another party. We must keep in mind that long term, the transmission facility will involve more than the developer and could be owned and operated by several different parties over time.

2. In the section “Information Sharing – Principle 1”, remove the word “Require” from the bolded title, which should then read: “Principle 1: Transparent, credible, and open process.” In addition, change “CETA’s minimum requirements include:” to the following: “Projects should minimally provide the following:”
3. In the section “COMMUNICATION Principle 2” remove the word “Require” from the title and change the title to read: “Principle 2: Projects should have meaningful engagement with local landowners and communities.” In addition, the sentence “CETA’s minimum requirements include:” should read “CETA recommends following”.
4. Remove the bullet point: “Flexibility in Project Design”. In COSSA’s opinion, inclusion of this bullet point implies that local community interests could change a project, potentially making it more expensive, or even impossible to build. This is where balance comes in, with the greater state interests needing to have priority.
5. The section on COMMUNITY BENEFITS is troubling. We are concerned that these principles put CETA in the position of being a landowner and community advocate. In our opinion, CETA has an obligation to balance all interests. We are concerned that this paragraph as proposed could require CETA to adopt project requirements that make transmission projects more expensive or impossible to build. The factors identified in Principle 3 needs to be balanced with other considerations, including state wide goals. In COSSA’s opinion, it is not CETA’s role to serve as an advocate for host communities. Instead, CETA should have a role in considering whether a proposed project will provide both financial and non-financial benefits to a community, and providing findings about its conclusions. \
6. The bold title to Principle 4 should be changed to read “Guidelines for long-term commitments to host landowners and communities” and the sentence “CETA’s minimum requirements include” should be change to “CETA’s minimum guidelines are:”
7. “Restoration Commitments” section should be rewritten as follows: “Roads and public facilities should be returned to their pre-construction status, as appropriate.” Landowners and communities may want some of the changes that a project makes.

CONCLUSION

While COSSA appreciates the intention of the draft Community Engagement Principles, we that that as drafted they could have the untended consequences of delaying projects by several years and making projects more expensive. We feel that guidelines are more appropriate than requirements, especially as there was no expectation in the legislation that initiated CETA to require this type of activity. We strongly advise the CETA Board to consider community engagement from all angles and make this a balanced approach.

Respectfully,

s/ Ken Wilson
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