



September 9, 2011

Ms. Lauren Azar  
Senior Advisor to Secretary Steven Chu  
U.S. Department of Energy  
[lauren.azar@hq.doe.gov](mailto:lauren.azar@hq.doe.gov)

RE: Request for comments on the proposed delegation by the DOE to FERC of both the congestion studies and the NIETC designation aspects of the transmission siting process.

Dear Ms. Azar,

Tri-State Generation and Transmission Association, Inc. is a cooperative corporation headquartered in Westminster, Colorado. Tri-State's primary functions involve the generation, transmission, transformation and sale of electricity at wholesale to its 44 member distribution cooperatives within the states of Colorado, Nebraska, New Mexico and Wyoming. Tri-State member systems serve approximately 1.4 million consumers with load in both the Western and Eastern Interconnections.

Tri-State appreciates the opportunity to comment on and supports the pending proposal to delegate DOE authority under Section 1221 of the Energy Policy Act of 2005 to FERC. In particular, we support FERC's role in the application, and environmental and siting processes. As it has demonstrated over the years in the natural gas industry, FERC has the potential to play a significant role in the permitting and siting of critical transmission infrastructure.

However, we do have reservations concerning the possible timing of FERC congestion studies. In its *Narrative Outline* FERC states, "Final results of the congestion study would be an input into the regional planning process pursuant to Orders 890 and 1000.<sup>1</sup>" Tri-State is concerned that this is not the most efficient approach, most especially if the congestion studies interfere with or are not informed by the regional planning process. Rather, we believe that the regional planning process will identify areas of transmission congestion and that a more effective approach would allow for the congestion studies performed by FERC to build upon those results thereby informing the processes for performing congestion studies and identification of specific transmission corridors. The performance of congestion studies by FERC, absent input from the regional planning process would most likely result in a duplication of efforts and could interfere with the effective timing of the planning processes directed by Order No. 1000. Simply put, if FERC conducts congestion studies in conjunction with designating NIETC's prior to completion of regional plans, the congestion study process could unintentionally preempt or at the least severely delay the regional planning process. This, in turn, could make it more difficult for regional planning organizations to define the appropriate application of cost allocation principles developed under FERC Order No. 1000.

<sup>1</sup> FERC Staff Preliminary and Conceptual Transmission Siting Proposal, August 2011.





To avoid these unintended consequences, if such delegation occurs FERC should immediately proceed to examine the specific issues identified above in the rulemaking proceedings it initiates to implement its new authority specifically in terms of timing and coordination between congestion studies and regional planning efforts. Indeed, the need to appropriately coordinate these two elements should be expressly recognized as part of the formal delegation.

Sincerely,

*MaryAnn Zehr on behalf of Ronald W. Steinbach*

Ronald W. Steinbach

Senior Manager Transmission Contracts, Rates, and Policy

Tri-State Generation and Transmission Association, Inc.

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