

169 FERC ¶ 61,012
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Neil Chatterjee, Chairman;
Richard Glick and Bernard L. McNamee.

Tri-State Generation and Transmission Association, Inc.	Docket Nos. ER19-2440-000 ER19-2441-001 ER19-2442-000 ER19-2444-001 ER19-2470-000 ER19-2474-000
Thermo Cogeneration Partnership, L.P.	ER19-2443-000

ORDER REJECTING FILINGS WITHOUT PREJUDICE

(Issued October 4, 2019)

1. On July 23, 2019, in Docket Nos. ER19-2440-000, ER19-2441-000, ER19-2442-000, and ER19-2444-000, Tri-State Generation and Transmission Association, Inc. (Tri-State) filed, pursuant to section 205 of the Federal Power Act (FPA)¹ and Part 35 of the Commission's regulations,² a stated rate tariff, an Open Access Transmission Tariff (OATT), an application for market-based rate authority, and 43 long-term wholesale electric service contracts (Wholesale Service Contracts), respectively.³ Also on July 23, 2019, Thermo Cogeneration Partnership, L.P. (Thermo Cogen), a wholly owned subsidiary of Tri-State, submitted an application for market-based rate authority in Docket No. ER19-2443-000. In addition, on July 26, 2019, pursuant to FPA section 205 and Part 35 of the Commission's regulations, Tri-State submitted certain non-conforming transmission service agreements and other existing transmission-related agreements in Docket No. ER19-2474-000. Additionally, in order to comply with the requirements of

¹ 16 U.S.C. § 824d (2018).

² 18 C.F.R. pt. 35 (2019).

³ On July 26, 2019, Tri-State resubmitted its July 23, 2019 filings in Docket Nos. ER19-2441-001 and ER19-2444-001 to correct certain eTariff filing codes.

Order No. 845,⁴ Tri-State submitted a filing in Docket No. ER19-2470-000 on July 26, 2019.⁵

2. As discussed below, we reject the July Filings without prejudice to Tri-State and Thermo Cogen submitting a more complete set of filings that cures the issues discussed below.

I. Background

3. Tri-State is a generation and transmission cooperative that provides wholesale electricity to its 43 member electric distribution cooperatives and public power districts in Colorado, Nebraska, New Mexico, and Wyoming at cost-based rates pursuant to long-term contracts. A 43-seat Board of Directors (Board) controls Tri-State, with each of Tri-State's 43 members occupying one seat on the Board.

4. Tri-State supplies power to its members through a portfolio of ownership interests in generation, tolling agreements, power purchase agreements, and open market purchases. Tri-State provides transmission service to its members via Tri-State's approximately 5,665 miles of high-voltage transmission lines located in Colorado, Nebraska, New Mexico, and Wyoming, the majority of which operate as part of the Western Interconnection.⁶ Tri-State states that it has a reciprocity OATT on file with the Commission, under which it provides network integration, point-to-point transmission, interconnection, and other transmission-related services on its transmission system to neighboring utilities and other wholesale transmission customers.⁷

⁴ *Reform of Generator Interconnection Procedures and Agreements*, Order No. 845, 163 FERC ¶ 61,043 (2018), *order on reh'g*, Order No. 845-A, 166 FERC ¶ 61,137 (2019), *errata notice*, 167 FERC ¶ 61,123.

⁵ For purposes of this order, we refer to all of the above-captioned filings as the "July Filings." In addition, on August 9, 2019, Tri-State submitted an application pursuant to FPA section 204 (16 U.S.C. § 824c) in Docket No. ES19-48-000 requesting authorization to issue short-term and long-term debt. Tri-State's request was authorized on September 19, 2019. *Tri-State Generation & Transmission Ass'n, Inc.*, 168 FERC ¶ 62,159 (2019) (delegated order).

⁶ Tri-State notes that a portion of its transmission facilities supports its load centers in the Eastern Interconnection and are under the functional control of Southwest Power Pool, Inc. (SPP).

⁷ *Tri-State Generation & Transmission Ass'n, Inc.*, 96 FERC ¶ 61,268 (2001).

5. Thermo Cogen, a subsidiary of Tri-State, represents that it owns a 278 megawatt gas-fired electric generating facility located in Weld, Colorado, the output of which serves Tri-State's members' load in the Public Service Company of Colorado balancing authority area.⁸

II. Filings

6. In the July Filings, Tri-State explains that under section 201(f) of the FPA⁹ it has been exempt from the Commission's jurisdiction under Part II of the FPA and was a "non-jurisdictional" utility because it was wholly-owned by entities that are themselves exempt from Commission jurisdiction under section 201(f). Tri-State states that it will cease to be wholly-owned by such entities about 60 days from the dates of the July Filings (i.e., on or around September 22, 2019), due to the admission of one or more new members/owners (New Member) that will not be an electric cooperative or governmental entity.¹⁰ Tri-State represents that admission of the New Member will cause Tri-State to cease to be wholly-owned by entities that are themselves exempt under section 201(f) of the FPA, and that Tri-State will then become a public utility subject to the Commission's jurisdiction. Tri-State explains that its Board voted in favor of Tri-State's becoming subject to rate regulation by a single regulatory body (i.e., the Commission).

A. Stated Rate Tariff and Wholesale Electric Service Contracts

7. In Docket No. ER19-2440-000, Tri-State filed a proposed stated rate tariff to establish a comprehensive cost-of-service rate for the services Tri-State provides to its members pursuant to the Wholesale Service Contracts. Tri-State represents that the rates developed under its stated rate tariff are approved by its Board as part of an annual budget process. According to Tri-State, the rate design proposed in the instant filing was initially developed in a comprehensive cost-of-service and rate design study completed in 2015. Tri-State states that the proposed wholesale firm power service rate (Schedule A-40) was revised in 2016 to reflect an increase in the cost of service effective for the 2017 rate year and has been retained since then. Tri-State states that, in addition to Schedule A-40, its stated rate tariff includes rates for load retention/economic

⁸ Thermo Cogen July 23, 2019 Application for Market-Based Rate Authority at 3.

⁹ 16 U.S.C. § 824(f).

¹⁰ E.g., Tri-State July 23, 2019 Stated Rate Transmittal, at 2. Tri-State makes this representation in each of its filings.

development, standby service, and the renewable resource program (collectively, Other Rates).¹¹

8. Tri-State states that, in order to meet the requirements outlined in section 35.12 (b)(1) of the Commission's regulations, it submitted *pro forma* 2019 calendar year monthly billing amounts for each member.¹² Tri-State argues that *pro forma* billing data for calendar year 2019 provides the best information available at this time, because projected member billing determinants that extend into 2020 will not be available until the end of the third quarter of 2019, after Tri-State's 2020 budget is approved by the Board. According to Tri-State, the aggregate of the member billing amounts sum to the 2019 revenue requirement of \$1,278,107,000.¹³

9. In Docket No. ER19-2444-001, Tri-State filed 43 long-term Wholesale Service Contracts (Rate Schedules No. 1 through 43) that represent existing long-term contracts between Tri-State and its 43 members. Tri-State explains that each Wholesale Service Contract establishes the obligation that Tri-State sell and deliver to the member, and the member purchase and receive from Tri-State, no less than 95 percent of all electric service, including capacity and energy that the member requires to operate its system. Tri-State further explains that the Wholesale Service Contracts tell Tri-State and each member what they must do and the stated rate tariff tells each member how much it must pay. Tri-State represents that the Wholesale Service Contracts were voluntarily executed by Tri-State and its members more than a decade ago; service under each Wholesale Service Contract is provided over existing facilities; and no facilities need to be installed or modified to provide the requested service over such existing facilities.¹⁴

B. OATT, Order No. 845 Compliance, and Transmission Agreements

10. In Docket No. ER19-2441-001, Tri-State filed an OATT to establish the rates, terms, and conditions for transmission service over its transmission facilities. Tri-State states that its OATT is largely based on the Commission's *pro forma* OATT established

¹¹ Tri-State July 23, 2019 Stated Rate Transmittal at 3, 7-8.

¹² Tri-State states that Attachment D to its filing provides detailed cost support for the rate design, including annual estimates of the transactions and revenues, by month by Member. *Id.* at 7.

¹³ *Id.* at 7-8.

¹⁴ Tri-State July 23, 2019 Wholesale Service Contracts Transmittal at 6.

in Order Nos. 888,¹⁵ 890,¹⁶ and 1000,¹⁷ with certain modifications to accommodate Tri-State's unique circumstances. Tri-State's OATT includes Tri-State's Transmission Formula Rate Template and Implementation Protocols (Formula Rate). Tri-State explains that the Formula Rate provides for the recovery of Tri-State's annual transmission revenue requirement for its transmission facilities operated within Tri-State's service area in the Western Interconnection. Tri-State represents that its Formula Rate is substantively similar to the methodology, structure, and rate design of its formula rate for its transmission facilities within the SPP footprint.¹⁸

11. Tri-State asserts that the determination of charges produced by the Formula Rate is based on Tri-State's actual costs drawn from audited company records, including Tri-State's 2018 U.S. Department of Agriculture Rural Utilities Service (RUS) Form 12.¹⁹ Tri-State explains that the initial charges will be in effect from the effective date of the instant filing through September 30, 2020. Tri-State states that a workable populated

¹⁵ *Promoting Wholesale Competition Through Open Access Non-Discriminatory Transmission Services by Public Utilities; Recovery of Stranded Costs by Public Utilities and Transmitting Utilities*, Order No. 888, FERC Stats. & Regs. ¶ 31,036 (1996) (cross-referenced at 77 FERC ¶ 61,080), *order on reh'g*, Order No. 888-A, FERC Stats. & Regs. ¶ 31,048 (cross-referenced at 78 FERC ¶ 61,220), *order on reh'g*, Order No. 888-B, 81 FERC ¶ 61,248 (1997), *order on reh'g*, Order No. 888-C, 82 FERC ¶ 61,046 (1998), *aff'd in relevant part sub nom. Transmission Access Policy Study Group v. FERC*, 225 F.3d 667 (D.C. Cir. 2000), *aff'd sub nom. New York v. FERC*, 535 U.S. 1 (2002).

¹⁶ *Preventing Undue Discrimination and Preference in Transmission Service*, Order No. 890, 118 FERC ¶ 61,119, *order on reh'g*, Order No. 890-A, 121 FERC ¶ 61,297 (2007), *order on reh'g*, Order No. 890-B, 123 FERC ¶ 61,299 (2008), *order on reh'g*, Order No. 890-C, 126 FERC ¶ 61,228, *order on clarification*, Order No. 890-D, 129 FERC ¶ 61,126 (2009).

¹⁷ *Transmission Planning and Cost Allocation by Transmission Owning and Operating Public Utilities*, Order No. 1000, 136 FERC ¶ 61,051 (2011), *order on reh'g*, Order No. 1000-A, 139 FERC ¶ 61,132, *order on reh'g and clarification*, Order No. 1000-B, 141 FERC ¶ 61,044 (2012), *aff'd sub nom. S.C. Pub. Serv. Auth. v. FERC*, 762 F.3d 41 (D.C. Cir. 2014).

¹⁸ Tri-State July 23, 2019 OATT Transmittal at 12-13 (citing Docket No. ER16-204).

¹⁹ *Id.* at 12-13; Exhibit No. TS-001 at 12.

Formula Rate spreadsheet is available on its Open Access Same-Time Information System.²⁰

12. Tri-State's proposed OATT includes a transmission planning process, Large Generator Interconnection Procedures (LGIP), and a Large Generator Interconnection Agreement (LGIA). Tri-State also represents that its LGIP and LGIA largely conform to the Commission's *pro forma* procedures and agreements, with the exception of certain provisions that Tri-State modified to facilitate the transition of Tri-State's existing generator interconnection queue to the proposed LGIP.²¹

13. In Docket No. ER19-2474-000, Tri-State separately filed various non-conforming agreements. Tri-State represents that it negotiated the rates, terms, and conditions of these agreements with the respective parties on an arm's length basis, and does not propose any changes to these agreements.

14. In Docket No. ER19-2470-000, Tri-State separately filed its Order No. 845 compliance filing with proposed modifications to its LGIP and LGIA.

C. Market-Based Rate Applications

15. In Docket Nos. ER19-2442-000 and ER19-2443-000, Tri-State and Thermo Cogen filed applications for market-based rate authority. In their respective applications, Tri-State and Thermo Cogen each request that the Commission: (1) accept its proposed market-based rate tariff; (2) grant certain waivers and blanket authorizations typically granted to other entities with market-based rate authority; and (3) designate it as a Category 2 seller in the Northwest, Southwest, and SPP regions, and as a Category 1 seller in all other regions.²²

D. Amendment

16. On September 3, 2019, Tri-State filed an amendment in the above-captioned dockets notifying the Commission that on September 3, 2019, Tri-State admitted Mieco, Inc. (Mieco), a wholesale energy services company and subsidiary of Marubeni Corporation, as the New Member. Tri-State states that Mieco supplies natural gas to purchasers throughout the United States, and currently provides natural gas to Tri-State's

²⁰ *Id.* at 12-13.

²¹ *Id.* at 14-16.

²² Tri-State July 23, 2019 Application for Market-Based Rate Authority at 1; Thermo Cogen July 23, 2019 Application for Market-Based Rate Authority at 1.

generation facilities in New Mexico and Colorado. Tri-State also states that Mico is not an electric cooperative or governmental entity, and it is not owned by electric cooperatives or governmental entities in the United States. Tri-State states that, accordingly, as of September 3, 2019, Tri-State is a public utility subject to the Commission's jurisdiction and is no longer exempt from Part II of the FPA because it is no longer wholly-owned directly or indirectly by entities that are: (1) states/political subdivisions of a state; or (2) electric cooperatives that are exempt public utilities under section 201(f) of the FPA. Tri-State represents that the addition of Mico will not adversely affect the rates of Tri-State or its members.²³

III. Notice of Filings and Responsive Pleadings

17. Notice of the filings in Docket Nos. ER19-2440-000, ER19-2442-000, and ER19-2443-000 was published in the *Federal Register*, 84 Fed. Reg. 36,909 (2019), with interventions and protests due on or before August 13, 2019. Notice of Tri-State's filings in Docket Nos. ER19-2441-001, ER19-2444-001, ER19-2470-000, and ER19-2474-000 was published in the *Federal Register*, 84 Fed. Reg. 37,861 (2019), with interventions and protests due on or before August 16, 2019. Notice of the requests in Docket Nos. ER19-2442-000 and ER19-2443-000 for blanket authorization under Part 34 of the Commission's regulations²⁴ was published in the *Federal Register*, 84 Fed. Reg. 36,917 (2019), with interventions and protests due on or before August 13, 2019. On August 13, 2019, the deadline for filing interventions and protests was extended to August 23, 2019 for all dockets captioned on this order.

18. Notice of Tri-State's amendment was published in the *Federal Register*, 84 Fed. Reg. 48,136 (2019), with interventions and protests due on or before September 24, 2019.

19. The Appendix to this order lists the entities that filed notices of intervention, motions to intervene, protests, comments, and answers. The majority of Tri-State's members, and several other intervenors, filed comments in support of the filings. Other commenters raised concerns regarding: (1) the uncertainty of Tri-State's jurisdictional status; (2) insufficient support for Tri-State's proposed cost-based rates; (3) the use of incomplete or stale data; (4) the potential for Tri-State's Board policies to conflict with statutes and Commission regulations; (5) potential cost shifts among members in different states; (6) interference with state-level regulatory issues; and (7) the lack of information about Tri-State's New Member, including its relationship with Tri-State.

²³ Tri-State September 3, 2019 Amendment at 2.

²⁴ 18 C.F.R. pt. 34 (2019).

IV. Discussion

A. Procedural Matters

20. Pursuant to Rule 214 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.214 (2019), the notices of intervention and timely, unopposed motions to intervene serve to make the entities that filed them parties to the proceedings in which they filed them.²⁵ Pursuant to Rule 214(d) of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.214(d), the Commission grants the late-filed motions to intervene given their the interest in the proceedings, the early stage of the proceedings, and the absence of undue prejudice or delay.

21. Rule 213(a)(2) of the Commission's Rule of Practice and Procedure, 18 C.F.R. § 385.213(a)(2) (2019), prohibits an answer to a protest or answer unless otherwise ordered by the decisional authority. We accept the answers because they have provided information that assisted us in our decision-making process.

B. Substantive Matters

22. As discussed below, we find that Tri-State's stated rate tariff and OATT filings fail to comply with the Commission's filing requirements. We therefore find those filings to be patently deficient and reject them without prejudice to Tri-State submitting a more complete set of filings that cures the issues discussed below.²⁶ Further, because other Tri-State filings and Thermo Cogen's application for market-based rates are dependent upon the stated rate tariff and OATT, we also reject those filings without prejudice to them submitting a more complete set of filings that cures the issues discussed below.

²⁵ The entities that filed comments or protests but did not file motions to intervene are not parties to these proceedings. 18 C.F.R. §§ 385.102(c)(3), 385.214(a)(3) (2019).

²⁶ See also *Kentucky Utilities Co. v. FERC*, 689 F.2d 207, 211 (D.C. Cir. 1982) (citing *City of Groton v. FERC*, 584 F.2d 1067, 1070 (D.C. Cir. 1978) (the Commission "'retains broad discretion' to determine the adequacy of a filing to satisfy the objective of affording notice to the Commission and the public.")). This order identifies only those deficiencies that render the stated rate tariff and OATT filings patently deficient, and therefore should not be deemed a comprehensive list of possible inadequacies in Tri-State's filings. Our findings here do not reach the merits of Tri-State's or Thermo Cogen's filings, nor any protests.

23. First, we find that Tri-State has provided insufficient cost support and has failed to comply with the Commission's rate schedule filing requirements.²⁷ Pursuant to section 35.12 of the Commission's regulations, Tri-State must submit estimates of the transactions and revenues under a rate schedule, including for the 12 months immediately following the month in which those services will commence.²⁸ Tri-State did not provide estimates of the transactions and revenues for the October 2019 to September 2020 time frame as part of its stated rate tariff filing. In addition, Tri-State must submit a summary statement of all cost computations involved in deriving the rate in sufficient detail to justify the rate, including, but not limited to, detailed work papers.²⁹ However, Tri-State did not provide sufficient cost support materials to justify the cost-of-service rate. For example, Tri-State's filing lacks sufficient data and work papers to review plant and expense balances. In support of the design of the proposed rate, Tri-State must submit a complete explanation as to the method used in arriving at the cost of service allocated to the sales and services for which the rate is charged or proposed.³⁰ Tri-State did not provide the 2015 cost-of-service and rate design study that was used as the foundation for its rate design. In addition, Tri-State did not provide sufficient explanation of its rate design or the calculations used in deriving the rates for Schedule A-40 and the Other Rates. Given these deficiencies, potentially interested parties cannot determine how the proposed stated rate might affect them and the Commission cannot assess whether Tri-State's proposed stated rate tariff is just and reasonable.

24. Further, Commission policy requires that both a formula rate and its inputs be transparent.³¹ The formula rate's inputs, including supporting documentation and allocations, should be either taken directly from publicly available data such as FERC Form No. 1, or be reconcilable to publicly available data such as FERC Form No. 1, by the application of clearly identified and supporting documentation. Critically, the Commission and interested parties should be able to replicate the output of the formula

²⁷ See *PP&L, Inc.*, 88 FERC ¶ 61,235, at 61,769 (1999) (citing 18 C.F.R. § 35.12(b)(5) (1999)).

²⁸ 18 C.F.R. § 35.12(b)(1) (2019).

²⁹ See *Terra-Gen Dixie Valley, LLC*, 134 FERC ¶ 61,027 (2011) (citing 18 C.F.R. § 35.12(b)(2)(ii)).

³⁰ 18 C.F.R. § 35.12(b)(5).

³¹ *Midwest Indep. Transmission Sys. Operator, Inc.*, 143 FERC ¶ 61, 149, at P 83 (2013).

rate as implemented by the transmission owner.³² To that end, all populated formula templates and underlying work papers should be provided in their native format, including all worksheets with all formulas and links intact (i.e., workable).³³

Notwithstanding these requirements, Tri-State filed its OATT Formula Rate templates in a non-workable format, and Tri-State's Formula Rate was derived from company records and Tri-State's RUS Form 12 data, neither of which is reconciled by clearly supported and identifiable documentation provided in the record. As a result, Tri-State's filing is deficient.

25. We also reject Tri-State's filing of Rate Schedules No. 1 through 43 (i.e., the Wholesale Service Contracts) because the rate schedules are dependent on the stated rate tariff, which we are rejecting here. As Tri-State explained, while the Wholesale Service Contracts provide the terms and conditions for service, the stated rate tariff provides the rate members must pay Tri-State for full requirements service and Other Rates.

26. Similarly, we reject Tri-State's filing of the transmission service agreements because the agreements reference and incorporate Tri-State's proposed OATT, which we are rejecting. In addition, because we are rejecting Tri-State's proposed OATT, we dismiss as moot Tri-State's Order No. 845 compliance filing, which is premised on the existence of an OATT.

27. Finally, with the rejection of Tri-State's OATT described above, both Tri-State and Thermo Cogen have failed to demonstrate a lack of vertical market power as required under section 35.37(d) of the Commission's regulations.³⁴ Thus, we reject Tri-State's and Thermo Cogen's respective applications for market-based rate authority.

³² *Id.*

³³ *Id.* P 86.

³⁴ 18 C.F.R. § 35.37(d) (2019) ("To demonstrate a lack of vertical market power, a Seller that owns, operates or controls transmission facilities, or whose affiliates own, operate or control transmission facilities, must have on file with the Commission an Open Access Transmission Tariff.").

The Commission orders:

The proposed filings are hereby rejected without prejudice, as discussed in the body of this order.

By the Commission.

(S E A L)

Nathaniel J. Davis, Sr.,
Deputy Secretary.

Appendix

Entity	Docket Numbers	Filings³⁵
Arkansas River Power Authority	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2474-000	Motion to Intervene (Aug. 13, 2019); Motion to Intervene and Protest (Aug. 13, 2019); Motion to Intervene (Aug. 23, 2019)
Basin Electric Power Cooperative	ER19-2440-000 ER19-2441-000 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2470-000 ER19-2474-000	Motion to Intervene (Aug. 13, 2019)
Big Horn Rural Electric Company	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2474-000	Comments (Aug. 23, 2019)
Black Hills Colorado Electric, LLC	ER19-2440-000 ER19-2441-000 ER19-2442-000	Motion to Intervene (Aug. 6, 2019)
Carbon Power & Light, Inc.	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2474-000	Comments (Aug. 12, 2019)
City of Gallup, New Mexico	ER19-2440-000 ER19-2441-000	Motion to Intervene (Aug. 14, 2019)

³⁵ We note that the entities that filed comments or protests may not have filed such comments or protests in every docket listed in the column associated with that entity.

	ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2474-000	
Colorado Chamber of Commerce	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2474-000	Comments (Aug. 12, 2019)
Colorado Competitive Council	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2474-000	Comments (Aug. 13, 2019)
Colorado Farm Bureau	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2474-000	Comments (Aug. 21, 2019)
Colorado Mining Association	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2474-000	Comments (Aug. 13, 2019)
Colorado Public Utilities Commission	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000	Notice of Intervention and Protest (Aug. 13, 2019); Supplemental Protest (Aug. 23, 2019); Answer (Sept. 4, 2019); Answer

	ER19-2444-000 ER19-2444-001 ER19-2470-000 ER19-2474-000	(Sept. 12, 2019)
Colorado Springs Utilities	ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2470-000 ER19-2474-000	Motion to Intervene (Aug. 13, 2019)
Delta-Montrose Electric Association	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2474-000	Motion to Intervene (Aug. 13, 2019)
El Paso Electric	ER19-2441-000	Motion to Intervene (Aug. 23, 2019)
Empire Electric Association, Inc.	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2474-000	Comments (Aug. 19, 2019)
Garland Light & Power Co.	ER19-2440-000 ER19-2441-000 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2474-000	Comments (Aug. 22, 2019)
Gladstone New Energy, L.L.C.	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2470-000 ER19-2474-000	Motion to Intervene and Protest (Aug. 13, 2019); Motion to Intervene and Protest (Aug. 23, 2019)

GridLiance High Plains	ER19-2440-000 ER19-2441-000	Motion to Intervene (Aug. 12, 2019)
Gunnison County Electric Association, Inc.	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2474-000	Comments (Aug. 13, 2019)
Guzman Energy, LLC	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2470-000 ER19-2474-000	Motion to Intervene (Aug. 13, 2019); Answer (Sept. 27, 2019)
High Plains Power, Inc.	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2474-000	Comments (Aug. 19, 2019)
High West Energy	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2474-000	Comments (Aug. 23, 2019)
Highline Electric Association	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2474-000	Comments (Aug. 14, 2019)

K.C. Electric Association, Inc.	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2474-000	Comments (Aug. 13, 2019)
Kit Carson Electric Cooperative, Inc.	ER19-2440-000 ER19-2441-000 ER19-2442-000 ER19-2444-000	Motion to Intervene and Comments (Aug. 13, 2019); Amended Motion to Intervene and Comments (Aug. 23, 2019)
LaPlata Electric Association, Inc.	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2470-000 ER19-2474-000	Motion to Intervene and Request for Extension of Time to File Comments (Aug. 13, 2019); Comments (Aug. 23, 2019)
Lincoln Electric System	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000	Motion to Intervene (Aug. 9, 2019)
McKenzie Electric Cooperative, Inc.	ER19-2440-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-001 ER19-2470-000 ER19-2474-000	Motion to Intervene (Sept. 18, 2019)
Midwest Electric Cooperative Corporation	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2474-000	Comments (Aug. 12, 2019)
Morgan County Rural Electric Association	ER19-2440-000 ER19-2441-000 ER19-2441-001	Comments (Aug. 12, 2019)

	ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2474-000	
Mountain View Electric Association, Inc.	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2474-000	Comments (Aug. 21, 2019)
Mountrail-Williams Electric Cooperative	ER19-2440-000 ER19-2441-000 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2470-000 ER19-2474-000	Motion to Intervene (Aug. 23, 2019)
Municipal Energy Agency of Nebraska	ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2474-000	Motion to Intervene (Aug. 13, 2019)
National Association of Manufacturers	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2474-000	Comments (Aug. 26, 2019)
National Mining Association	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2474-000	Comments (Sept. 16, 2019)
National Rural Electric Cooperative Association	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000	Motion to Intervene (Aug. 23, 2019); Comments (Sept. 25, 2019)

	ER19-2444-000 ER19-2444-001 ER19-2474-000	
Natural Resources Defense Council and Sustainable FERC Project	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001	Motion to Intervene (Aug. 13, 2019)
Nebraska Public Power District	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2470-000 ER19-2474-000	Motion to Intervene (Aug. 9, 2019); Motion to Intervene (Aug. 13, 2019)
Nebraska Rural Electric Association	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2474-000	Comments (Aug. 19, 2019)
New Mexico Public Regulation Commission	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2470-000 ER19-2474-000	Notice of Intervention and Protest (Aug. 23, 2019)
Niobrara Electric Association, Inc.	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2474-000	Comments (Aug. 23, 2019)

Northwest Rural Public Power District	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2444-000 ER19-2444-001	Motion to Intervene, Motion for Extension of Time and Comments (Aug. 12, 2019); Comments and Protest (Aug. 13, 2019)
Old Dominion Electric Cooperative	ER19-2440-000 ER19-2441-000 ER19-2442-000	Motion to Intervene (Aug. 6, 2019)
Otero County Electric Cooperative, Inc.	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2474-000	Comments (Aug. 13, 2019)
Oxy USA Inc.	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2470-000 ER19-2474-000	Motion to Intervene (Sept. 24, 2019)
Panhandle Rural Electric Membership Association	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2474-000	Comments (Aug. 23, 2019)
Poudre Valley Rural Electric Association, Inc.	ER19-2440-00 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2474-000	Motion to Intervene and Comments (Aug. 13, 2019); Comments (Aug. 23, 2019)

Public Service Company of New Mexico	ER19-2440-000 ER19-2441-000 ER19-2442-000 ER19-2444-000 ER19-2474-000	Motion to Intervene and Comments (Aug. 13, 2019); Motion to Intervene and Comments (Aug. 16, 2019)
Roosevelt Public Power District	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2474-000	Comments (Aug. 15, 2019)
San Isabel Electric Association	ER19-2440-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2474-000	Comments (Aug. 20, 2019)
San Luis Valley Rural Electric Cooperative, Inc.	ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2474-000	Comments (Aug. 21, 2019)
San Miguel Power Association, Inc.	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001	Motion to Intervene (Aug. 12, 2019); Protest (Aug. 23, 2019)
Sierra Club/Earthjustice	ER19-2440-000 ER19-2442-000 ER19-2444-000 ER19-2444-001	Motion to Intervene (Aug. 8, 2019); Motion for Extension of Time (Aug. 8, 2019); Answer (Aug. 13, 2019); Request for Privileged Material (Aug. 14, 2019); Protest (Aug. 23, 2019)

Sierra Electric Cooperative, Inc.	ER19-2440-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2474-000	Comments (Aug. 20, 2019)
Socorro Electric Cooperative, Inc.	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2474-000	Comments (Aug. 20, 2019)
Southeast Colorado Power Association	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2474-000	Comments (Aug. 19, 2019)
Southwestern Electric Cooperative	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2474-000	Comments (Aug. 19, 2019)
Springer Electric Cooperative, Inc.	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2474-000	Comments (Aug. 12, 2019)
Tri-State Generation and Transmission Association, Inc.	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000	Answer in Opposition (Aug. 12, 2019); Motion for Directed Amendment (Aug. 28, 2019); Notice of

	ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2470-000 ER19-2474-000	Initial New Member (Mieco, Inc.) and Request for Partial Waiver (Sept. 3, 2019); Answer (Sept. 20, 2019)
United Power, Inc.	ER19-2440-000 ER19-2441-000 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2470-000 ER19-2474-000	Motion to Intervene (Aug. 13, 2019); Motion to Intervene and Protest (Aug. 13, 2019); Answer (Sept. 30, 2019)
Western Area Power Administration	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2470-000 ER19-2474-000	Motion to Intervene (Aug. 13, 2019); Motion to Intervene (Aug. 22, 2019)
Wheat Belt Public Power District	ER19-2440-000 ER19-2441-000 ER19-2442-000 ER19-2444-000 ER19-2444-001 ER19-2470-000	Motion to Intervene (Aug. 12, 2019); Protest and Request for Section 206 Investigation (Aug. 13, 2019); Supplemental Protest (Aug. 23, 2019)
Wheatland Rural Electric Association	ER19-2440-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2474-000	Comments (Aug. 23, 2019)
White River Electric Association, Inc.	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2474-000	Comments (Aug. 12, 2019)

Wyoming Public Service Commission	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2474-000	Notice of Intervention (Aug. 22, 2019)
Wyoming State Legislature	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2474-000	Comments (Aug. 26, 2019)
Wyrulec Company	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2474-000	Comments (Aug. 12, 2019)
Xcel Energy Services Inc.	ER19-2441-000 ER19-2442-000 ER19-2444-000	Motion to Intervene (Aug. 7, 2019); Motion to Intervene (Aug. 12, 2019)
Y-W Electric Association, Inc.	ER19-2440-000 ER19-2441-000 ER19-2441-001 ER19-2442-000 ER19-2443-000 ER19-2444-000 ER19-2444-001 ER19-2474-000	Comments (Aug. 23, 2019)