

Colorado Transmission Siting Information

General Information:

Colorado has a decentralized transmission siting structure. All lines require local government permits. Lines built by utility or power authorities also require a Certificate of Public Convenience and Necessity (CPCN). An entity may appeal a permit denial at the local level to the PUC, under certain circumstances.

Siting Entities:

- Local governments
- Colorado PUC

Authorizations Needed:

The type of permit and process varies from county to county and needs to be determined on an individual basis. A utility must obtain a Certificate of Public Convenience and Necessity from the PUC in addition to any necessary county permits. Successful appeals of local permit denial preempt local authority.

General Siting Process:

For public utilities or power authorities, the siting process has two steps. First, the utility must apply for a Certificate of Public Convenience and Necessity from the PUC. Prior to this and no later than the filing of the CPCN application, the utility must notify the affected local government(s) of its transmission plans. [CRS 29-20-108\(4\)\(a\)](#). Once the local governments have been informed, the utility must then obtain applicable permits from each affected local government. This may occur simultaneously with the proceedings for the CPCN. The CPCN may be issued without possession of all the local permits. [City of Fort Morgan v. Pub. Utils. Comm'n, 159 P.3d 87 \(Colo. 2007\)](#).

Once the CPCN application is filed with the PUC, the PUC has 60 days issue the CPCN, deny it, or request additional information. [CRS 24-65.1-108](#). The decision of the PUC may be appealed to the district court, however, only issues of law will be reviewed. [CRS 40-6-115](#).

The local government has 28 days to respond to an applicant with a request for more information if such a request is necessary. Local governments are required to respond with a decision within 120 days of the filing of a preliminary application (when required) or within 90 days of filing of an application. Lack of response on the part of the local authority will be deemed approval. [CRS 29-20-108\(2\)](#).

Decisions of the local government may be appealed to the PUC if the utility has either filed for or obtained a CPCN; a CPCN is not required; or the PUC has previously entered an order. Thus, the CPCN filing is a prerequisite to any appeal of a local government decision.

Interstate Cooperation:

The PUC is authorized to confer with or hold joint hearings with the authorities of other states or any agency of the US in connection with any matter under Title 40 ([CRS 40](#)) and to enter into cooperative agreements with said entities to enforce the economic and safety laws of Colorado and the U.S. [CRS 40-2-115](#).