

RESOLUTION NO. 93 - 22

A RESOLUTION REGARDING CERTAIN CHANGES TO COLORADO SPRINGS
UTILITIES' OPEN ACCESS TRANSMISSION TARIFF

WHEREAS, City Council approved the current effective interstate Open Access Transmission Tariff by Resolutions 133-17, 75-18 and 43-19; and

WHEREAS, Colorado Springs Utilities (Utilities) has determined that it would be advantageous to leave the Joint Dispatch Agreement and to join the Western Imbalance Energy Service (WEIS) Market operated by the Southwest Power Pool; and

WHEREAS, Utilities has proposed to remove the Open Access Transmission Tariff section specifying the terms and conditions of Joint Dispatch Transmission Service, as well as a related schedule and attachment; and

WHEREAS, Utilities has proposed to adopt new and revised Open Access Transmission Tariff sections specifying the terms and conditions of WEIS Market service, as well as related new and revised schedules and attachments; and

WHEREAS, inclusion of these tariff provisions in Utilities' Open Access Transmission Tariff is a condition of participation in the WEIS Market; and

WHEREAS, the City Council finds that adoption of the proposed tariff sheets specifying the terms and conditions of WEIS Market service and the associated schedules and attachments, all as set forth in Utilities' Open Access Transmission Tariff, are just, reasonable, sufficient and not unduly discriminatory.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1: That Colorado Springs Utilities' Open Access Transmission Tariff, City Council Volume No. 3, shall be revised as follows:

Effective August 1, 2022

City Council Vol. No. 3		
Sheet No.	Title	Cancels Sheet No.
First Revised Sheet No. 3	Table of Contents	Original Sheet No. 3
Original Sheet No. 3.1	Table of Contents	
First Revised Sheet No. 5	Table of Contents	Original Sheet No. 5
Second Revised Sheet No. 8	Table of Contents	First Revised Sheet No. 8
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First Revised Sheet No. 9.1	Table of Contents	Original Sheet No. 9.1
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First Revised Sheet No. 29	Section I. Common Service Provisions	Original Sheet No. 29
First Revised Sheet No. 30	Section I. Common Service Provisions	Original Sheet No. 30
First Revised Sheet No. 61	Section II. Point-to-Point Transmission Service	Original Sheet No. 61
First Revised Sheet No. 62	Section II. Point-to-Point Transmission Service	Original Sheet No. 62
First Revised Sheet No. 91	Section III. Network Integration Transmission Service	Original Sheet No. 91
First Revised Sheet No. 126.1	Page Left Intentionally Blank	Original Sheet No. 126.1
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First Revised Sheet No. 126.3	Page Left Intentionally Blank	Original Sheet No. 126.3
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First Revised Sheet No. 126.9	Page Left Intentionally Blank	Original Sheet No. 126.9
First Revised Sheet No. 133	Schedule 4, Energy Imbalance Service	Original Sheet No. 133
First Revised Sheet No. 134	Schedule 4, Energy Imbalance Service	Original Sheet No. 134
Original Sheet No. 141.1	Schedule 8A, WEIS Joint Dispatch Transmission Service	
First Revised Sheet No. 142	Schedule 9, Generator Imbalance Service	Original Sheet No. 142
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Original Sheet No. 181.6	Attachment M, WEIS Market Provisions	
Original Sheet No. 181.7	Attachment M, WEIS Market Provisions	
Original Sheet No. 181.8	Attachment M, WEIS Market Provisions	


Section 2: The attached sheets of Colorado Springs Utilities' Open Access Transmission Tariff are hereby approved and adopted effective August 1, 2022 and shall remain in effect unless changed by subsequent Resolution of the City Council.

Dated at Colorado Springs, Colorado, this 12th day of July, 2022.




City Council President

ATTEST:



Sarah B. Johnson, City Clerk



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1.52 Transmission Provider's Monthly Transmission System Peak:

The maximum firm usage of Colorado Springs Utilities' Transmission System in a calendar month.

1.53 Transmission Service:

Point-To-Point Transmission Service provided under Part II of the Tariff on a firm and non-firm basis.

1.54 Transmission System:

The facilities owned, controlled or operated by Colorado Springs Utilities that are used to provide transmission service under Part II and Part III of the Tariff.

1.55 Western Energy Imbalance Service (WEIS):

The Schedule 1 Service defined in the WEIS Tariff for the WEIS Region.

1.56 WEIS Market:

An energy imbalance service market in the Western Interconnection administered by the WEIS Market Operator under the WEIS Tariff.

1.57 WEIS Market Footprint:

The loads and resources that are located within a Control Area participating in the WEIS Market under the WEIS Tariff.

1.58 WEIS Market Operator:

The entity that operates the WEIS Market in accordance with the WEIS Tariff and acts as the interface point of reliability functions with commercial functions. Currently, the WEIS Market Operator is Southwest Power Pool, Inc.

1.59 WEIS Joint Dispatch Transmission Service:

Intra-hour non-firm transmission service, as available, across transmission facilities of a Market Participant, as defined in the WEIS Tariff, that is used to transmit energy dispatched pursuant to the provisions of the WEIS Tariff.

1.60 WEIS Joint Dispatch Transmission Service Customer:

Any Market Participant, as defined in the WEIS Tariff, representing load in a Control Area participating in the WEIS Market.

1.61 WEIS Joint Dispatch Transmission Service Provider:

Any Market Participant, as defined in the WEIS Tariff, that provides Joint Dispatch Transmission Service and that is in a Control Area participating in the WEIS Market or Southwest Power Pool, Inc.

1.62 WEIS Region:

The geographic region of the WEIS Market operated by the WEIS Market Operator under the WEIS Tariff.

1.63 WEIS Tariff:

The Western Energy Imbalance Service Tariff, as approved by FERC, including all schedules or attachments thereto, as amended from time to time and approved by FERC.

1.64 WEIS Transmission Provider's Facilities:

Those facilities included in Colorado Springs Utilities' Transmission System that are located within the WEIS Region and over which Colorado Springs Utilities has agreed to allow the WEIS Market Operator to transmit energy dispatched pursuant to the provisions of the WEIS Tariff.

2. Initial Allocation and Renewal Procedures

2.1 Initial Allocation of Available Transfer Capability:

For purposes of determining whether existing capability on Colorado Springs Utilities' Transmission System is adequate to accommodate a request for firm service under this Tariff, all Completed Applications for new firm transmission service received during the initial sixty (60) day period commencing with the effective date of the Tariff will be deemed to have been filed simultaneously. A lottery system conducted by an independent party shall be used to assign priorities for Completed Applications filed simultaneously. All Completed Applications for firm transmission service

whether from Colorado Springs Utilities, from a third party, or by self-supply.

Solely with respect to service provided over the WEIS Transmission Provider's Facilities, the Transmission Customer's Energy Imbalance for load served using the WEIS Transmission Provider's Facilities shall be settled pursuant to the WEIS Tariff and as further specified in Attachment M. Colorado Springs Utilities will provide, when and to the extent it is physically feasible to do so from its resources, Generator Imbalance Service when Transmission Service is used to deliver energy from a generator located within its control area. The Transmission Customer using Transmission Service to deliver energy from a generator located within the Colorado Springs Utilities' Control Area is required to acquire Generator Imbalance Service, whether from Colorado Springs Utilities, from a third party, or by self-supply. Solely with respect to service provided over the WEIS Transmission Provider's Facilities, the Transmission Customer's Generator Imbalance Service used to deliver energy from a generator using the WEIS Transmission Provider's Facilities shall be settled pursuant to the WEIS Tariff and as further specified in Attachment M. The Transmission Customer may not decline Colorado Springs Utilities' offer of Ancillary Services unless it demonstrates that it has acquired the Ancillary Services from another source. The Transmission Customer must list in its Application which Ancillary Services it will purchase from Colorado Springs Utilities.

A Transmission Customer that exceeds its firm reserved capacity at any Point of Receipt or Point of Delivery or an Eligible Customer that uses Transmission Service at a Point of Receipt or Point of Delivery that it has not reserved is required to pay for all of the Ancillary Services identified in this section that were provided by Colorado Springs Utilities associated with the unreserved service. The Transmission Customer or Eligible Customer will pay for Ancillary Services based on the amount of transmission service it used but did not reserve.

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If Colorado Springs Utilities is a public utility providing transmission service but is not a Control Area operator, it may be unable to provide some or all of the Ancillary Services. In this case, Colorado Springs Utilities can fulfill its obligation to provide Ancillary Services by acting as the Transmission Customer's agent to secure these Ancillary Services from the Control Area operator or through the WEIS Market. The Transmission Customer may elect to; (i) have Colorado Springs Utilities act as its agent, (ii) secure the Ancillary Services directly from the Control Area operator or through the WEIS Market, or (iii) secure the Ancillary Services (discussed in Schedules 3, 4, 5, 6 and 9) from a third party or by self-supply when technically feasible.

Colorado Springs Utilities shall specify the rate treatment and all related terms and conditions in the event of an unauthorized use of Ancillary Services by the Transmission Customer.

The specific Ancillary Services, prices and/or compensation methods are described on the Schedules and Attachments that are attached to and made a part of the Tariff. Three principal requirements apply to discounts for Ancillary Services provided by Colorado Springs Utilities in conjunction with its provision of transmission service as follows: (1) any offer of a discount made by Colorado Springs Utilities must be announced to all Eligible Customers solely by posting on the OASIS, (2) any customer-initiated requests for discounts (including requests for use by one's wholesale merchant or an Affiliate's use) must occur solely by posting on the

OASIS, and (3) once a discount is negotiated, details must be immediately posted on the OASIS. A discount agreed upon for an Ancillary Service must be offered for the same period to all Eligible Customers on Colorado Springs Utilities' system. Sections 3.1 through 3.7 below list the seven Ancillary Services.

3.1 Scheduling, System Control and Dispatch Service:

The rates and/or methodology are described in Schedule 1.

3.2 Reactive Supply and Voltage Control from Generation or Other Sources Service:

The rates and/or methodology are described in Schedule 2.

3.3 Regulation and Frequency Response Service:

Where applicable the rates and/or methodology are described in Schedule 3.

3.4 Energy Imbalance Service:

Where applicable the rates and/or methodology are described in Schedule 4 and Attachment M.

3.5 Operating Reserve - Spinning Reserve Service:

Where applicable the rates and/or methodology are described in Schedule 5.

3.6 Operating Reserve - Supplemental Reserve Service:

Where applicable the rates and/or methodology are described in Schedule 6.

3.7 Generator Imbalance Service:

Where applicable the rates and/or methodology are described in Schedule 9 and Attachment M.

4. Open Access Same-Time Information System (OASIS)

Terms and conditions regarding Open Access Same-Time Information System and standards of conduct are set forth in 18 C.F.R. § 37 of the Commission's regulations (Open Access Same-Time Information System and Standards of Conduct for Public Utilities) and 18 C.F.R. § 38 of the Commission's regulations (Business Practice Standards and Communication Protocols for Public Utilities). In the event available transfer capability as posted on the OASIS is insufficient to accommodate a request for firm transmission service, additional studies may be required as provided by this Tariff pursuant to Sections 19 and 32.

Colorado Springs Utilities shall post on OASIS and its public website an electronic link to all rules, standards and practices that (i) relate to the terms and conditions of transmission service, (ii) are not subject to a North American Energy Standards Board (NAESB) copyright restriction, and (iii) are not otherwise included in this Tariff. Colorado Springs Utilities shall post on OASIS and on its public website an electronic link to the NAESB website where any rules, standards and practices that are protected by copyright may be obtained. Colorado Springs Utilities shall also post on OASIS and its public website a statement of the process by which Colorado Springs Utilities shall add, delete or otherwise modify the rules, standards and practices that are not included in this tariff. Such process shall set forth the means by which Colorado Springs Utilities

- (b) The Transmission Customer meets the creditworthiness criteria set forth in Section 11;
- (c) The Transmission Customer will have arrangements in place for any other transmission service necessary to effect the delivery from the generating source to Colorado Springs Utilities prior to the time service under Part II of the Tariff commences;
- (d) The Transmission Customer agrees to pay for any facilities constructed and chargeable to such Transmission Customer under Part II of the Tariff, whether or not the Transmission Customer takes service for the full term of its reservation;
- (e) The Transmission Customer provides the information required by Colorado Springs Utilities' planning process established in Attachment K;
- (f) Notwithstanding any provision in Part II of this Tariff to the contrary, the Transmission Customer must comply with the WEIS Market provisions in Attachment M, as applicable, when Colorado Springs Utilities participates in the WEIS Market as described in Attachment M; and
- (g) The Transmission Customer has executed a Point-To-Point Service Agreement or has agreed to receive service pursuant to Section 15.3.

16.2 Transmission Customer Responsibility for Third-Party Arrangements:

Any scheduling arrangements that may be required by other electric systems shall be the responsibility of the Transmission Customer requesting service. The Transmission Customer shall provide, unless waived by Colorado Springs Utilities, notification to Colorado Springs Utilities identifying such systems and authorizing them to schedule the capacity and energy to be transmitted by Colorado Springs Utilities pursuant to Part II of the Tariff on behalf of the Receiving Party at the Point of Delivery or the Delivering Party at the Point of Receipt. However, Colorado Springs Utilities will undertake reasonable efforts to assist the Transmission Customer in making such arrangements, including without limitation, providing any information or data required by such other electric system pursuant to Good Utility Practice.

17. Procedures for Arranging Firm Point-To-Point Transmission Service

17.1 Application:

A request for Firm Point-To-Point Transmission Service for periods of one year or longer must contain a written Application to: System Operations Superintendent, Colorado Springs Utilities, 215 Nichols Boulevard, Colorado Springs, CO 80907, at least sixty (60) days in advance of the calendar month in which service is to commence. Colorado Springs Utilities will consider requests for such firm service on shorter notice when feasible. Requests for firm service for periods of less than one year shall be subject to expedited procedures that shall be negotiated between the Parties within the time constraints provided in Section 17.5. All Firm Point-To-Point Transmission Service requests should be submitted by entering the information listed below on Colorado Springs Utilities' OASIS.

Transmission Service must obtain or provide Ancillary Services pursuant to Section 3. Notwithstanding any provision in Part III of this Tariff to the contrary, the Network Customer must comply with the WEIS Market provisions in Attachment M, as applicable, when Colorado Springs Utilities participates in the WEIS Market as described in Attachment M.

28.2 Transmission Provider Responsibilities:

Colorado Springs Utilities will plan, construct, operate and maintain its Transmission System in accordance with Good Utility Practice and its planning obligations in Attachment K in order to provide the Network Customer with Network Integration Transmission Service over Colorado Springs Utilities' Transmission System. Colorado Springs Utilities, on behalf of its Native Load Customers, shall be required to designate resources and loads in the same manner as any Network Customer under Part III of this Tariff. This information must be consistent with the information used by Colorado Springs Utilities to calculate available transfer capability. Colorado Springs Utilities shall include the Network Customer's Network Load in its Transmission System planning and shall, consistent with Good Utility Practice and Attachment K, endeavor to construct and place into service sufficient transfer capability to deliver the Network Customer's Network Resources to serve its Network Load on a basis comparable to Colorado Springs Utilities' delivery of its own generating and purchased resources to its Native Load Customers.

Colorado Springs Utilities

Open Access Transmission Tariff
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Colorado Springs Utilities

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Colorado Springs Utilities

Open Access Transmission Tariff
City Council Volume No. 3
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SCHEDULE 4

Energy Imbalance Service

Energy Imbalance Service is provided when a difference occurs between the scheduled and the actual delivery of energy to a load located within a Control Area over a single hour or, as applicable, dispatch interval. Colorado Springs Utilities must offer this service when the transmission service is used to serve load within its Control Area. The Transmission Customer must purchase this service from the WEIS Market Operator, from the Control Area operator, from Colorado Springs Utilities, or make alternative comparable arrangements, which may include use of non-generation resources capable of providing this service, to satisfy its Energy Imbalance Service obligation. To the extent the WEIS Market Operator or the Control Area operator performs this service for Colorado Springs Utilities, charges to the Transmission Customer are to reflect only a pass-through of the costs charged to Colorado Springs Utilities by the WEIS Market Operator or that Control Area operator. Colorado Springs Utilities may charge a Transmission Customer a penalty for either hourly energy imbalances under this Schedule or a penalty for hourly generation imbalances under Schedule 9 for imbalances occurring during the same hour, but not both unless the imbalances aggravate rather than offset each other.

Colorado Springs Utilities shall establish charges for energy imbalance based on the deviation bands as follows: (i) deviations within +/- 1.5 percent (with a minimum of 2 MW) of the scheduled transaction to be applied hourly to any energy imbalance that occurs as a result of the Transmission Customer's scheduled transaction(s) will be

netted on a monthly basis and settled financially, at the end of the month, at 100 percent of incremental or decremental cost; (ii) deviations greater than +/- 1.5 percent up to 7.5 percent (or greater than 2 MW up to 10 MW) of the scheduled transaction to be applied hourly to any energy imbalance that occurs as a result of the Transmission Customer's scheduled transaction(s) will be settled financially, at the end of each month, at 110 percent of incremental cost or 90 percent of decremental cost, and (iii) deviations greater than +/- 7.5 percent (or 10 MW) of the scheduled transaction to be applied hourly to any energy imbalance that occurs as a result of the Transmission Customer's scheduled transaction(s) will be settled financially, at the end of each month, at 125 percent of incremental cost or 75 percent of decremental cost.

For purposes of this Schedule, incremental cost and decremental cost represent Colorado Springs Utilities' actual average hourly cost of the last 10 MW dispatched for any purpose, e.g., to supply Colorado Springs Utilities' Native Load Customers, correct imbalances, or make off-system sales, based on the replacement cost of fuel, unit heat rates, start-up costs (including any commitment and redispatch costs), incremental operation and maintenance costs, and purchased and interchange power costs and taxes, as applicable.

Pursuant to Section 3 of this Tariff, Energy Imbalance Service associated with service provided over the WEIS Transmission Provider's Facilities will be subject to settlement in the WEIS Market, as described in Attachment M.

SCHEDULE 8A

WEIS Joint Dispatch Transmission Service

The Transmission Customer shall compensate Colorado Springs Utilities for WEIS Joint Dispatch Transmission Service up to the sum of the applicable charges set forth below:

- 1) Hourly delivery:**
 - a. On-Peak Hours: the on-peak rate \$0.00/MWh.
 - b. Off-Peak Hours: the off-peak rate \$0.00/MWh.

SCHEDULE 9

Generator Imbalance Service

Generator Imbalance Service is provided when a difference occurs between the output of a generator located in Colorado Springs Utilities' Control Area and a delivery schedule from that generator to (1) another Control Area or (2) a load within Colorado Springs Utilities' Control Area over a single hour or, as applicable, dispatch interval. Colorado Springs Utilities must offer this service, to the extent it is physically feasible to do so from its resources or from resources available to it, when Transmission Service is used to deliver energy from a generator located within its Control Area. The Transmission Customer must purchase this service from the WEIS Market Operator, from the Control Area operator, from Colorado Springs Utilities, or make alternative comparable arrangements, which may include use of non-generation resources capable of providing this service, to satisfy its Generator Imbalance Service obligation. To the extent the WEIS Market Operator or the Control Area operator performs this service for Colorado Springs Utilities, charges to the Transmission Customer are to reflect only a pass-through of the costs charged to Colorado Springs Utilities by the WEIS Market Operator or that Control Area operator. Colorado Springs Utilities may charge a Transmission Customer a penalty for either hourly generator imbalances under this Schedule or a penalty for hourly energy imbalances under Schedule 4 for imbalances occurring during the same hour, but not both unless the imbalances aggravate rather than offset each other.

Notwithstanding the foregoing, deviations from scheduled transactions in order to respond to directives by Colorado Springs Utilities, a balancing authority, or a reliability coordinator shall not be subject to the deviation bands identified above and, instead, shall be settled financially, at the end of the month, at 100 percent of incremental and decremental cost. Such directives may include instructions to correct frequency decay, respond to a reserve sharing event, or change output to relieve congestion.

For purposes of this Schedule, incremental cost and decremental cost represent Colorado Springs Utilities' actual average hourly cost of the last 10 MW dispatched for any purpose, e.g., to supply Colorado Springs Utilities' Native Load Customers, correct imbalances, or make off-system sales, based on the replacement cost of fuel, unit heat rates, start-up costs (including any commitment and redispatch costs), incremental operation and maintenance costs, and purchased and interchange power costs and taxes, as applicable.

Pursuant to Section 3 of this Tariff, Energy Imbalance Service associated with service provided over the WEIS Transmission Provider's Facilities will be subject to settlement in the WEIS Market, as described in Attachment M.

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Colorado Springs Utilities

Open Access Transmission Tariff
City Council Volume No. 3
First Revised Sheet No. 181.1
Cancels Original Sheet No. 181.1

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Resolution No. _____

Approval Date: _____
Effective Date: August 1, 2022

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ATTACHMENT M

WEIS Market Provisions

1 Definitions

Capitalized Terms not otherwise defined in this Attachment shall have the meaning ascribed to them in the WEIS Tariff, as such tariff may be amended from time to time.

2 Applicability

Attachment M to this Tariff shall apply solely to the WEIS Transmission Provider's Facilities. All loads and Resources on the WEIS Transmission Provider's Facilities shall be subject to settlement in the WEIS Market in accordance with Attachment A of the WEIS Tariff.

Participation in the WEIS Market shall begin on the later of the date on which the Commission approves an executed Western Joint Dispatch Agreement between the WEIS Market Operator and Colorado Springs Utilities or the WEIS Market goes live in production mode.

3 Tariff Provisions Modified by WEIS Market Participation

The following provisions in this Tariff are modified for Transmission Customers and Network Customers taking service over the WEIS Transmission Provider's Facilities when Colorado Springs Utilities is participating in the WEIS Market:

3.1 Network Resources:

3.1.1 Notwithstanding the limitations in Sections 1.26 (Network Resource), 30.1 (Designation of Network Resources), 30.2

(Designation of New Network Resources), and 30.4 (Operation of Network Resources) of the Tariff, Network Customers may also utilize Network Resources for purposes of fulfilling obligations under the WEIS Market, such as WEIS Market generation dispatch instructions.

3.1.2 Notwithstanding the provisions in Section 28.6 (Restrictions on Use of Service) of the Tariff, Network Customers may utilize WEIS Joint Dispatch Transmission Service for purposes of fulfilling obligations under the WEIS Market, such as WEIS Market generation dispatch instructions.

3.2 Real Power Losses:

Notwithstanding the provisions in Sections 15.7 (Real Power Losses) and 28.5 (Real Power Losses) of the Tariff, the requirements for replacing real power losses associated with the WEIS Joint Dispatch Transmission Service due to WEIS Market energy transactions are addressed under the WEIS Market settlements pursuant to the WEIS Tariff.

3.3 Indemnification:

Notwithstanding the provisions in Section 10.2 (Indemnification) of the Tariff, the standard of liability for the actions of the Transmission Provider performed consistent with this Attachment M shall be gross negligence or intentional wrongdoing.

4 Nature of WEIS Joint Dispatch Transmission Service

Notwithstanding any limitations in 14 (Nature of Non-Firm Point-To-Point Transmission Service), 15 (Service Availability), 16 (Transmission Customer Responsibilities), 18 (Procedures for Arranging Non-Firm Point-To-Point Transmission Service), 24 (Metering and Power Factor Correction at Receipt and Delivery Point(s)), and 25 (Compensation for Transmission Service) of the Tariff, Colorado Springs Utilities, as the WEIS Joint Dispatch Transmission Service Provider, shall provide WEIS Joint Dispatch Transmission Service on the WEIS Transmission Provider's Facilities to a WEIS Joint Dispatch Transmission Service Customer commensurate with, and to accommodate, the energy dispatched within the WEIS Market, as set forth in the WEIS Tariff, as follows:

4.1 Term:

WEIS Joint Dispatch Transmission Service shall be available on a real-time intra-hour basis.

4.2 Reservation Priority:

WEIS Joint Dispatch Transmission Service is non-firm and shall be available from transfer capability in excess of that needed for Transmission Customers taking Transmission Service and Network Customers taking Network Integration Transmission Service, respectively, under the Tariff.

4.3 Restrictions on the use of WEIS Joint Dispatch Transmission Service:

WEIS Joint Dispatch Transmission Service may be used on the Transmission System included in the WEIS Market Footprint only for receipt or delivery of Energy dispatched by the WEIS Market Operator within a Balancing Authority Area in the WEIS Market pursuant to the provisions of the WEIS Tariff. The WEIS Joint Dispatch Transmission Service Customer shall not use WEIS Joint Dispatch Transmission Service for (i) off-system sales of capacity or Energy not related to fulfilling obligations under the WEIS Market, such as WEIS Market generation dispatch instructions or (ii) direct or indirect provision of transmission service by the WEIS Joint Dispatch Transmission Service Customer to any third party.

4.4 Scheduling:

WEIS Joint Dispatch Transmission Service Customers are not required to submit schedules for WEIS Joint Dispatch Transmission Service.

4.5 Curtailment of WEIS Joint Dispatch Transmission Service:

Colorado Springs Utilities reserves the right to curtail (or cause to be curtailed) without liability on Colorado Springs Utilities' part, in whole or in part, WEIS Joint Dispatch Transmission Service provided under this Attachment M for reliability reasons when an emergency or other unforeseen conditions threatens to impair or degrade the reliability of the Transmission System or the systems directly or indirectly interconnected with Colorado Springs Utilities' Transmission System.

4.6 Limited Joint Dispatch Transmission Service Provider Responsibilities:

Colorado Springs Utilities shall have no obligation to plan, construct, or maintain its Transmission System for the benefit of any WEIS Joint Dispatch Transmission Service Customer.

4.7 Procedures for Arranging WEIS Joint Dispatch Transmission Service:

WEIS Joint Dispatch Transmission Service does not need to be reserved by the WEIS Joint Dispatch Transmission Service Customer. No application or service agreement is required. An entity requesting WEIS Joint Dispatch Transmission Service shall provide any information reasonably requested, if any, by the WEIS Market Operator or Colorado Springs Utilities.

4.8 Compensation for WEIS Joint Dispatch Transmission Service:

Rates for WEIS Joint Dispatch Transmission Service are provided in Schedule 8A to the Tariff.

5 Other Provisions

5.1 Unreserved Use:

Any use of Colorado Springs Utilities' Transmission System not otherwise authorized pursuant to this Attachment M shall be subject to unreserved use penalties in excess of Reserved Capacity, as set out in Section 14.5 of this Tariff.

An unreserved use penalty will apply to the amount of actual metered generation in a Dispatch Interval, if any, which is in excess of the positive Operating Tolerance above a WEIS Market Resource's average Setpoint Instruction over such Dispatch Interval. Any ancillary service charges that are applicable to such unreserved use shall apply. For the amounts exceeding Reserved Capacity, the Transmission Customer also must purchase losses as required by this Tariff.

BEFORE THE CITY COUNCIL OF
THE CITY OF COLORADO SPRINGS

IN THE MATTER OF THE REVISION)
OF THE OPEN ACCESS) DECISION & ORDER 22-01 (OATT)
TRANSMISSION TARIFF OF)
COLORADO SPRINGS UTILITIES)

1. Colorado Springs Utilities, an enterprise of the City of Colorado Springs (“City”), a Colorado home-rule city and municipal corporation, (“Utilities”), conducted a review of its Open Access Transmission Tariff (“OATT”). During that review, Utilities identified needed changes. Utilities’ rate case filing contains all of these revisions and changes.
2. Utilities’ 2022 OATT filing does not include base rate changes, but proposes changes to the terms and conditions of OATT service.
3. Utilities’ OATT is a part of the collective tariffs that govern Utilities in accordance with the Colorado Springs City Code. The OATT establishes terms and conditions for wholesale electric service. Utilities is proposing the following OATT changes in its filing:
 - a) Remove – The current OATT contains sections that allow Utilities to participate in Joint Transmission Dispatch Service administered by Public Service Company of Colorado (“Public Service”), as well as a related schedule and attachment.
 - b) Add Western Energy Imbalance Service – Participation in the Western Energy Imbalance Service (“WEIS”) administered by Southwest Power Pool (“SPP”) broadens the pool of electric generating resources to serve aggregate demand as compared to Joint Transmission Dispatch Service. In addition, it offers increased granularity with five-minute real-time increments. Combined, these WEIS attributes offer an increased opportunity for financial benefit to Utilities. The proposed modifications add WEIS definitions and other conforming terms and conditions, modify Schedule 4, Energy Imbalance Service, add Schedule 8A, WEIS Joint Transmission Service, and replace the Attachment M Joint Dispatch Transmission Service provisions with the WEIS market provisions.
4. Updating the OATT in this manner permits WEIS participation, aligns the treatment of Network Resources and Real Power Losses and the Indemnification standard to the SPP business model, and describes the business terms for WEIS participation.
5. The proposed effective date for Utilities’ tariff changes is August 1, 2022.
6. Utilities filed its OATT changes with the City Auditor, Mrs. Jacqueline Rowland, and with the City Attorney, Ms. Wynetta Massey, on May 24, 2022. Also on May 24, 2022, Utilities then filed the enterprise’s formal proposals with the City Clerk, Ms. Sarah Johnson, and a complete copy of the proposals was placed in the City Clerk’s Office for public inspection.

Notice of the filing was published on-line at www.csu.org on May 24, 2022, and in *The Gazette* on May 26, 2022. These various notices and filings comply with the requirements of §12.1.108 of the City Code and the applicable provision of the Colorado Revised Statutes. Copies of the published and mailed notices are available upon request. Additional public notice was provided through Utilities' website, www.csu.org, and a complete copy of the proposals was placed on that website for public inspection.

7. On June 28, 2022, the City Council held a public hearing concerning the proposed changes to the OATT. This hearing was conducted in accordance with §12.1.108 of the City Code, the procedural rules adopted by City Council, and the applicable provisions of state law.
8. President of the Council Tom Strand commenced the rate hearing.
9. The presentations started with Mr. David Beckett of the City Attorney's Office. Mr. Beckett first presented the rate hearing agenda.
10. Mr. Beckett then briefed the City Council on its power to establish rates, charges, and regulations for Utilities' services. In setting rates, charges, and regulations for Utilities' services, the City Council is sitting as a legislative body because the setting of rates, charges, and regulations is necessary to carry out existing legislative policy of operating the various utility systems. However, unlike other legislative processes, the establishment of rates, charges, and regulations is analogous to a quasi-judicial proceeding and requires a decision based upon evidence in the record and the process is not subject to referendum or initiative. Mr. Beckett provided information on the statutory and regulatory requirements on rate changes, which rates, terms and conditions must be just and reasonable.
11. At the conclusion of his presentation, Mr. Beckett polled the City Council Members concerning any *ex parte* communication that they may have had during the pendency of this proceeding. City Council indicated that no *ex parte* communications were received.
12. Mr. Tristan Gearhart, Utilities' Chief Planning and Finance Officer, provided the enterprise's proposals.
13. In discussing the procedural compliance, Mr. Gearhart reiterated that Utilities filed its OATT changes with the City Clerk on May 24, 2022, and that legal notice was published in *The Gazette* on May 26, 2022.
14. Mr. Gearhart then presented Utilities proposed changes to the OATT. He explained Utilities desire to leave the Public Service-administered Joint Transmission Dispatch Service arrangement in favor of joining the SPP-administered WEIS.
15. Specifically, Mr. Gearhart explained the history and purpose of Utilities OATT, noting that it allows Utilities to generate additional revenue when Utilities moves other utilities' electricity at wholesale across our electric transmission wires.

16. Mr. Gearhart further explained that the SPP-administered WEIS provides an increased opportunity for financial benefit to Utilities as compared to the Public Service-administered Joint Transmission Dispatch Service because it includes a greater number of participating utilities, thereby broadening the pool of resources available to most economically serve the aggregate demand.
17. In summarizing the changes to the OATT, Mr. Gearhart stated that the references to the Public Service-administered Joint Transmission Dispatch Service are being replaced with the appropriate references to the SPP-administered WEIS. Specifically, this requires adding WEIS-specific definitions; modifying Schedule 4, Energy Imbalance Service; adding Schedule 8A, WEIS Joint Transmission Service; modifying Schedule 9, Generator Imbalance Service; and replacing Attachment M so it sets forth the WEIS Market Provisions.
18. Mr. Gearhart then noted that the City Auditor reviewed Utilities' filing and found no findings.
19. After Utilities' presentation, President Strand opened the floor for public comment. No comments were made.
20. Following the opportunity for public comment, President Strand opened the floor to questions from the City Council. No comments or questions were presented.
21. Based on the lack of questions or comments, President Strand determined that neither a break nor executive session were necessary.
22. Mr. Beckett then polled the Council Members regarding the issues central to the OATT revisions.
23. The following are the proposed changes and the votes by City Council addressing the Utilities Rules and Regulations:
 - a) Should Utilities modify the terms and conditions of its Open Access Transmission Tariff, and a related schedule and attachment, to remove references to Joint Dispatch Transmission Service administered by Public Service Company of Colorado?

The City Council held that Utilities shall modify the modify the terms and conditions of its Open Access Transmission Tariff, and a related schedule and attachment, to remove references to Joint Dispatch Transmission Service administered by Public Service Company of Colorado.
 - b) Should Utilities modify the terms and conditions of its Open Access Transmission Tariff, as well as related new schedules and attachments, to incorporate the language necessary to join the Western Energy Imbalance Service administered by Southwest Power Pool?

The City Council held that Utilities shall modify the terms and conditions of its Open Access Transmission Tariff, as well as related new schedules and attachments, to incorporate the language necessary to join the Western Energy Imbalance Service administered by Southwest Power Pool.

24. President Strand then concluded the 2022 OATT Hearing.

ORDER

THEREFORE, IT IS HEREBY ORDERED that:

The Open Access Transmission Tariff sheets as attached to the Resolution are adopted and will be effective on and after August 1, 2022. Such tariff sheets shall be published and held open for public review and shall remain effective until changed by subsequent Resolution duly adopted by the City Council.

Dated this 12th day of July, 2022.

CITY OF COLORADO SPRINGS



Council President

ATTEST:



City Clerk

