

Congress of the United States

Washington, DC 20515

June 2nd, 2023

The Honorable Willie Phillips,
Chairman
Federal Energy Regulatory Commission
888 First Street, NE
Washington, D.C. 20426

The Honorable Allison Clements
Commissioner
Federal Energy Regulatory Commission
888 First Street, NE
Washington, D.C. 20426

The Honorable James Danly
Commissioner
Federal Energy Regulatory Commission
888 First Street, NE
Washington, D.C. 20426

The Honorable Mark Christie
Commissioner
Federal Energy Regulatory Commission
888 First Street, NE
Washington, D.C. 20426

RE: Docket No. ER21-2818-000

Dear Commissioners,

It is our understanding that you will soon be making a decision regarding what exit fee is owed by members who opt to prematurely terminate their contractual obligations to their fellow member-owners of Tri-State Generation and Transmission Association (Tri-State). As FERC considers this decision, we strongly urge you as Commissioners to carefully consider the unique relationship between rural distribution cooperatives and their generation and transmission (G&T) provider, as well as the purpose of G&Ts and the critical value they provide.

Throughout our states and districts, electric cooperatives serve as the backbone of many rural communities. Electric cooperatives play a critical role providing affordable and reliable electricity to often overlooked and underserved areas. They help create community economic development opportunities and raise the quality of life for our rural constituents. Because of the higher costs of serving these areas, in which for-profit utilities have often declined to invest, distribution cooperatives must rely on one another to build economies of scale, reduce costs, and ensure reliable service through long-term contractual commitments—i.e., the G&T.

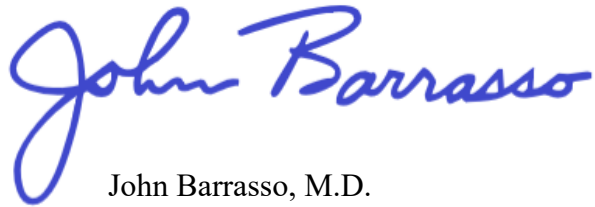
As Members of Congress from largely rural states and districts, we write you because the Commission's impending decision could leave the majority of Tri-State's members with unjust costs and rate increases while jeopardizing their ability to provide affordable, reliable and resilient power to our rural constituents who depend on it. This is particularly concerning where some of the wealthiest members, most capable of representing their own interests, are those that would have the Commission shift costs to rural cooperatives that can least afford it.

The current proceeding is of significant importance to the communities and livelihoods of our constituents and the cooperative industry at large. For this reason, we urge you to ensure that the cost to break a contract early does not result in a cost-shift and rate increases to the remaining membership. Thank you for your time and attention to this important matter.

Sincerely,

A handwritten signature in blue ink that reads "Cynthia M. Lummis". The script is fluid and cursive, with the first name being the most prominent.

Cynthia M. Lummis
United States Senator

A handwritten signature in blue ink that reads "John Barrasso". The signature is written in a bold, cursive style.

John Barrasso, M.D.
United States Senator

A handwritten signature in blue ink that reads "Harriet H. Hageman". The signature is written in a cursive style with a large, sweeping 'H'.

Harriet Hageman
Member of Congress

A handwritten signature in blue ink that reads "Adrian Smith". The signature is written in a cursive style with a large, sweeping 'A'.

Adrian Smith
Member of Congress

A handwritten signature in blue ink that reads "Doug Lamborn". The signature is written in a cursive style with a large, sweeping 'D'.

Doug Lamborn
Member of Congress