

Commission should impose enhanced performance standards over all WCS licensees, and do so in a manner that appropriately reflects the build status of each of the licensees as of this date. For those who have not yet built, Horizon submits that for all the good reasons presented by Horizon to date, they should be made to comply with the provisions proposed by the WCS Coalition in this proceeding. For those licensees who have already built, the Commission should take into account their prior efforts. Specifically, the required construction standards should be the same as applied to non-built systems, but the time frame for that performance should be at the five year and seven year mark following adoption of new performance standards.

The above position, if adopted, would require Horizon to do more than it should legally be required to do. But its furtherance of the Commission's desire to enhance performance requirements serves the public interest while recognizing the build efforts that Horizon has taken to date. Moreover, the dual track approach presented herein is fully consistent with considerable Commission precedent cited by Horizon in its comments. It is also consistent with longstanding Commission recognition that if one builds to an existing standard, then the standard changes, the building entity would incur additional costs if it must rigidly comply with both standards. (It is for that reason that the Commission often waives enforcement of standards that are in the process of being changed.)

Respectfully submitted,

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