

The Pueblo Chieftain

NEWS

Opponents of Black Hills power line sue Pueblo commissioners over approval

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Opponents of Black Hills Energy's proposed transmission line through Pueblo West on Friday filed a civil lawsuit against the Pueblo County Commission asking a district court judge to overturn the county's approval of the project.

The commission unanimously approved the Southern Colorado Reliability Project 115 kilovolt transmission line Dec. 8 following public comment and a special use permit review process in September.

During that September review, the commission required several conditions from Black Hills, including requesting the company bury any power lines within a half mile of a residence and asking the company to pay for an independent determination of the financial impact on property owners, including paying costs of legal representation for property owners.

However, on Dec. 8, the board removed those two conditions and approved the transmission line "unconditionally and without any mitigation of adverse effects to us property owners adjacent to the new line," the lawsuit reads.

Pueblo West Neighbors in Opposition, led by Melvin Manrose, filed the suit alleging the Pueblo County commissioners did not follow the county's rules and regulations by dropping the two conditions and approving the project. The suit asks the court to stay any Black Hills action pending outcome of the suit.

MORE: Hearing set on Black Hills power line through Pueblo West

The suit asks the court to reverse the board's decision and deny the permit. If the judge declines to do so, the suit seeks reinstatement of the two conditions that will "help protect the rights and interests of property owners affected by the transmission line."

The proposal calls for a 39-mile, single-circuit transmission line that would travel from the company's existing West Station Substation in Pueblo County to Canon City. When seeking permitting for a substation in Penrose in October, Seth Boutilier of Black Hills informed the Fremont County Commission that the company did not have all the easements in place for the transmission line route.

Neighbors along the route from Pueblo West's Wild Horse Creek area to Penrose have voiced concerns about impacts to the scenery, property values, health, noise and fire danger.

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