

Cowley Companies

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September 25, 2012

VIA ELECTRONIC MAIL TO STIMMS@C3GOV.COM

Mr. Steve Timms
Interim Planning Manager
Commerce City Planning Division
7887 East 60th Avenue
Commerce City, Colorado 80022

Re: Application for Conditional Use Permit for the Cherokee Natural Gas Pipeline (the "Pipeline"), Case Number CU-97-12

Dear Mr. Timms;

Cowley Management, LLC, ("Cowley") is the manager for SMT Investors et al, the owners of real property in Commerce City, Colorado that is adjacent to E-470 and is planned for development (the "Property"). We have reviewed the Application submitted by Public Service Company of Colorado ("PSCo") and the September 4, 2012 Commerce City Planning Division Staff Report. Both the "Proposed Pipeline Route" and the "Alternative Pipeline Route" depicted in Exhibit A to the Staff Report burden the Property.

This letter is to notify Commerce City (the "City") that the owners of the Property prefer that the Pipeline be constructed so that it is not located on the Property. The owners are actively pursuing the development of the Property for residential and commercial uses, including hotel, retail, and office space. The Property is near Denver International Airport, so this development is likely to occur in the near future. The construction of the Pipeline on the Property will create a significant burden and hurdle to the development of the Property and will devalue the Property. In addition, PSCo will seek to restrict activities above and around the Pipeline in ways that will make it difficult for the Property to be developed and operated.

That said, if the City determines that the Pipeline must be located on the Property, the owners prefer that the Pipeline be constructed in the location of the Proposed Pipeline Route. This location will be less burdensome for the planned development than the Alternative Pipeline Route.

Thank you for your consideration. Please feel free to call me with any questions you may have.

Sincerely,
Cowley Management, LLC


Michael Cowley

