

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior Judge Walker D. Miller

Civil Action No. 09-cv-01576-WDM-KLM

WILDEARTH GUARDIANS,

Plaintiff,

v.

PUBLIC SERVICE COMPANY OF COLORADO,

Defendant.

ORDER DENYING MOTION FOR PRELIMINARY INJUNCTION

Given my ruling denying Plaintiff's Motion for Temporary Restraining Order and the Plaintiff's counsel's statement of record that it no longer seeks to prevent construction and operation of the Comanche 3 unit, the motion for preliminary injunction (ECF No. 37) is denied without prejudice.

DATED at Denver, Colorado, on July 27, 2010.

BY THE COURT:



s/ Walker D. Miller
United States Senior District Judge