

HB1377\_L.001

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Transportation & Energy.

HB15-1377 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and  
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, 40-2-124, add (1)  
4 (c) (II) (D) as follows:

5 **40-2-124. Renewable energy standards - qualifying retail and**  
6 **wholesale utilities - definitions - net metering - legislative declaration.**

7 (1) Each provider of retail electric service in the state of Colorado, other  
8 than municipally owned utilities that serve forty thousand customers or  
9 fewer, is a qualifying retail utility. Each qualifying retail utility, with the  
10 exception of cooperative electric associations that have voted to exempt  
11 themselves from commission jurisdiction pursuant to section 40-9.5-104  
12 and municipally owned utilities, is subject to the rules established under  
13 this article by the commission. No additional regulatory authority is  
14 provided to the commission other than that specifically contained in this  
15 section. In accordance with article 4 of title 24, C.R.S., the commission  
16 shall revise or clarify existing rules to establish the following:

17 (c) Electric resource standards:

18 (II) (D) FOR PURPOSES OF A COOPERATIVE ELECTRIC  
19 ASSOCIATION'S COMPLIANCE WITH THE RETAIL DISTRIBUTED GENERATION  
20 REQUIREMENT SET FORTH IN SUB-SUBPARAGRAPH (A) OF THIS  
21 SUBPARAGRAPH (II), AN ELECTRIC GENERATION FACILITY CONSTITUTES  
22 RETAIL DISTRIBUTED GENERATION IF IT USES ONLY RENEWABLE ENERGY  
23 RESOURCES; HAS A NAMEPLATE RATING OF TWO MEGAWATTS OR LESS; IS  
24 LOCATED WITHIN THE SERVICE TERRITORY OF A COOPERATIVE ELECTRIC  
25 ASSOCIATION; AND GENERATES ELECTRICITY FOR THE BENEFICIAL USE OF  
26 SUBSCRIBERS WHO ARE MEMBERS OF THE COOPERATIVE ELECTRIC  
27 ASSOCIATION. A SUBSCRIBER'S SHARE OF THE PRODUCTION FROM THE  
28 FACILITY MAY NOT EXCEED ONE HUNDRED TWENTY PERCENT OF THE  
29 SUBSCRIBER'S AVERAGE ANNUAL CONSUMPTION. EACH COOPERATIVE  
30 ELECTRIC ASSOCIATION MAY ESTABLISH, IN THE MANNER IT DEEMS  
31 APPROPRIATE, THE SUBSCRIBER, SUBSCRIPTION, PRICING, METERING,  
32 ACCOUNTING, AND OTHER REQUIREMENTS AND TERMS ASSOCIATED WITH  
33 ELECTRIC GENERATION FACILITIES DESCRIBED IN THIS SUB-SUBPARAGRAPH  
34 (D).

35 **SECTION 2. Act subject to petition - effective date.** This act  
36 takes effect at 12:01 a.m. on the day following the expiration of the  
37 ninety-day period after final adjournment of the general assembly (August



1 5, 2015, if adjournment sine die is on May 6, 2015); except that, if a  
2 referendum petition is filed pursuant to section 1 (3) of article V of the  
3 state constitution against this act or an item, section, or part of this act  
4 within such period, then the act, item, section, or part will not take effect  
5 unless approved by the people at the general election to be held in  
6 November 2016 and, in such case, will take effect on the date of the  
7 official declaration of the vote thereon by the governor."

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