

**First Regular Session
Seventieth General Assembly
STATE OF COLORADO**

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 15-0440.01 Jennifer Berman x3286

SENATE BILL 15-044

SENATE SPONSORSHIP

Scott, Sonnenberg, Holbert, Cadman, Crowder, Lambert, Lundberg

HOUSE SPONSORSHIP

Thurlow,

Senate Committees

Agriculture, Natural Resources, & Energy

House Committees

A BILL FOR AN ACT

101 **CONCERNING A REDUCTION IN COLORADO'S RENEWABLE ENERGY**
102 **STANDARD.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Under current law, the public utilities commission is required to establish electric resource standards. These standards must set the minimum percentage of electricity that retail electric service providers in Colorado must generate or cause to be generated from recycled energy and renewable energy resources. The bill reduces the minimum percentage of renewable energy required of investor-owned utilities from

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
2nd Reading Unamended
February 3, 2015

20% to 15% for the years 2015 through 2019 and from 30% to 15% for the years 2020 and thereafter. The bill also reduces the minimum amounts for cooperative electric associations from 20% to 15% for the years 2020 and thereafter.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 40-2-124, **amend** (1)
3 (c) (I) introductory portion, (1) (c) (I) (C), (1) (c) (I) (D), (1) (c) (V.5),
4 and (8) (b); and **repeal** (1) (c) (I) (E) 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 (I) Except as provided in ~~subparagraph~~ SUBPARAGRAPHS (V) AND
19 (V.5) of this paragraph (c), the electric resource standards ~~shall~~ MUST
20 require each qualifying retail utility to generate or cause to be generated
21 electricity from eligible energy resources in the following minimum
22 amounts:

23 (C) Twelve percent of its retail electricity sales in Colorado for the

1 years 2011 through 2014, with distributed generation equaling at least one
2 percent of its retail electricity sales in 2011 and 2012 and one and
3 one-fourth percent of its retail electricity sales in 2013 and 2014; AND

4 (D) ~~Twenty~~ FIFTEEN percent of its retail electricity sales in
5 Colorado for the years 2015 ~~through 2019~~ AND THEREAFTER, with
6 distributed generation equaling at least one and three-fourths percent of
7 its retail electricity sales in 2015 and 2016, ~~and~~ two percent of its retail
8 electricity sales in 2017, 2018, and 2019, and THREE PERCENT OF ITS
9 RETAIL ELECTRICITY SALES IN 2020 AND THEREAFTER.

10 (E) ~~Thirty percent of its retail electricity sales in Colorado for the~~
11 ~~years 2020 and thereafter, with distributed generation equaling at least~~
12 ~~three percent of its retail electricity sales.~~

13 (V.5) Notwithstanding any other provision of law, each
14 cooperative electric association that provides electricity at retail to its
15 customers and serves one hundred thousand or more meters shall generate
16 or cause to be generated at least ~~twenty~~ FIFTEEN percent of the energy it
17 provides to its customers from eligible energy resources in the years 2020
18 and thereafter.

19 (8) **Qualifying wholesale utilities - definition - electric resource**
20 **standard - tradable credits - reports. (b) Electric resource standard.**

21 Notwithstanding any other provision of law, each qualifying wholesale
22 utility shall generate or cause to be generated at least ~~twenty~~ FIFTEEN
23 percent of the energy it provides to its Colorado members at wholesale
24 from eligible energy resources in the year 2020 and thereafter. If, and to
25 the extent that, the purchase of energy generated from eligible energy
26 resources by a Colorado member from a qualifying wholesale utility
27 would cause an increase in rates for the Colorado member that exceeds

1 the retail rate impact limitation in sub-subparagraph (A) of subparagraph
2 (IV) of paragraph (g) of subsection (1) of this section, the obligation
3 imposed on the qualifying wholesale utility is reduced by the amount of
4 ~~such~~ energy FROM ELIGIBLE ENERGY RESOURCES necessary to enable the
5 Colorado member to comply with the rate impact limitation.

6 **SECTION 2. Act subject to petition - effective date.** This act
7 takes effect at 12:01 a.m. on the day following the expiration of the
8 ninety-day period after final adjournment of the general assembly (August
9 5, 2015, if adjournment sine die is on May 6, 2015); except that, if a
10 referendum petition is filed pursuant to section 1 (3) of article V of the
11 state constitution against this act or an item, section, or part of this act
12 within such period, then the act, item, section, or part will not take effect
13 unless approved by the people at the general election to be held in
14 November 2016 and, in such case, will take effect on the date of the
15 official declaration of the vote thereon by the governor.