

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

February 5, 2004

Date

Committee on Transportation & Energy.

After consideration on the merits, the Committee recommends the following:

HB04-1225 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 4, line 18, strike "JANUARY" and substitute
2 "SEPTEMBER".

3 Page 5, after line 3 insert the following:

4 "(2) THE CHARGES COLLECTED PURSUANT TO SUBSECTION (1) OF
5 THIS SECTION SHALL NOT BE SUBJECT TO SALES TAX OR FRANCHISE FEES."

6 Renumber succeeding subsections accordingly.

7 Page 5, line 9, strike "(2)" and substitute "(3)";

8 line 15, after "RULE.", add "THE REIMBURSED AMOUNTS SHALL BE MADE
9 TO THE UTILITIES BEFORE THE FUNDS ARE DISTRIBUTED TO THE
10 ORGANIZATION.

11 (5) IF A UTILITY THAT IS SUBJECT TO THE COMMISSION'S
12 JURISDICTION HAS A QUALITY OF SERVICE PLAN APPROVED BY THE
13 COMMISSION, THE COMMISSION SHALL EXCLUDE ANY IMPACTS STEMMING
14 FROM THE IMPLEMENTATION OF THE ENERGY ASSISTANCE PROGRAM FROM
15 THE CALCULATION OF RELEVANT QUALITY OF SERVICE PLAN

- 1 MEASUREMENTS. THE IMPACTS MAY INCLUDE, BUT SHALL NOT BE LIMITED
2 TO, DELAYS IN ANSWERING CUSTOMER TELEPHONE CALLS AND AN
3 INCREASE IN CUSTOMER COMPLAINTS.";
- 4 line 23, strike "TO THE ORGANIZATION";
- 5 line 25, after "ARTICLE.", insert "THE MUNICIPALLY OWNED UTILITY OR
6 COOPERATIVE SHALL SUBMIT A STATEMENT TO THE ORGANIZATION THAT
7 STATES SUCH UTILITY OR COOPERATIVE HAS AN ALTERNATIVE ENERGY
8 ASSISTANCE PROGRAM.".
- 9 Page 9, line 6, strike "JANUARY" and substitute "SEPTEMBER";
- 10 line 14, after "CUSTOMER.", insert "CHARGES COLLECTED PRIOR TO THE
11 DATE THE CUSTOMER OPTS OUT OF THE PROGRAM SHALL NOT BE
12 REFUNDED.";
- 13 line 20, strike "'LOW-INCOME ENERGY" and substitute "'OPTIONAL
14 LOW-INCOME CHARGE, AS PROVIDED BY SECTION 40-8.7-104, C.R.S.'";
- 15 line 21, strike "ASSISTANCE CHARGE".
- 16 Page 11, line 16, strike "PROPANE" and substitute "PROPANE, GAS, OR
17 ELECTRIC";
- 18 line 17, strike "PROPANE COMPANIES DO NOT PAY";
- 19 line 18, strike "THE ENERGY ASSISTANCE CHARGE." and substitute
20 "PROPANE, GAS, ELECTRIC, OR GAS AND ELECTRIC COMPANIES DO NOT
21 PARTICIPATE IN THE ORGANIZATION'S PROGRAM.".
- 22 Page 12, line 5, strike "MEET THE CRITERIA FOR" and substitute "IS A
23 RECIPIENT OF";
- 24 line 7, strike "MEET THE CRITERIA FOR" and substitute "IS A RECIPIENT OF";
- 25 line 9, strike "MEET THE CRITERIA FOR" and substitute "IS A RECIPIENT OF";

1 line 11, strike "MEET THE CRITERIA FOR" and substitute "IS A RECIPIENT
2 OF".

3 Page 13, line 8, strike "JANUARY" and substitute "SEPTEMBER";

4 line 9, strike "JANUARY" and substitute "SEPTEMBER".

5 Strike page 14, and substitute the following:

6 **"SECTION 3. Effective date.** This act shall take effect at 12:01
7 a.m. on the day following the expiration of the ninety-day period after
8 final adjournment of the general assembly that is allowed for submitting
9 a referendum petition pursuant to article V, section 1 (3) of the state
10 constitution (August 4, 2004, if adjournment sine die is on May 5, 2004);
11 except that, if a referendum petition is filed against this act or an item,
12 section, or part of this act within such period, then the act, item, section,
13 or part, if approved by the people, shall take effect on the date of the
14 official declaration of the vote thereon by proclamation of the governor.".

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