

SENATE COMMITTEE OF REFERENCE REPORT

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Chairman of Committee

April 29, 2008  
Date

Committee on Local Government.

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

HB08-1350 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend reengrossed bill, page 2, line 27, strike "UPON OR SERVING" and  
2 substitute "BEHIND THE METER OF".

3 Page 3, line 4, strike "BOARD." and substitute "BOARD; EXCEPT THAT NO  
4 RENEWABLE ENERGY IMPROVEMENT SHALL BE AUTHORIZED THAT  
5 INTERFERES WITH A RIGHT HELD BY A PUBLIC UTILITY UNDER A  
6 CERTIFICATE ISSUED BY THE PUBLIC UTILITIES COMMISSION UNDER  
7 ARTICLE 5 OF TITLE 40, C.R.S. THE PUBLIC UTILITIES COMMISSION SHALL  
8 HAVE PRIMARY JURISDICTION TO ADJUDICATE DISPUTES AS TO WHETHER  
9 A RENEWABLE ENERGY IMPROVEMENT INTERFERES WITH SUCH A RIGHT.".

10 Page 4, strike line 1 and substitute the following:

11 "IMPROVEMENTS TO SERVE THAT STRUCTURE OR OTHER STRUCTURES ON  
12 CONTIGUOUS PROPERTY UNDER COMMON OWNERSHIP.";

13 after line 12, insert the following:

14 "SECTION 6. 30-11-107.3 (2) (b), Colorado Revised Statutes, is  
15 amended to read:

16 **30-11-107.3. Incentives for installation of renewable energy**  
17 **fixtures - definitions.** (2) For purposes of this section, unless the  
18 context otherwise requires:

1 (b) "Renewable energy fixture" means any fixture, product,  
2 system, device, or interacting group of devices that produces ~~electricity~~  
3 ENERGY from renewable resources, including, but not limited to,  
4 photovoltaic systems, solar thermal systems, small wind systems, biomass  
5 systems, or geothermal systems."

6 Renumber succeeding sections accordingly.

7 Page 6, line 25, strike "UPON OR SERVING" and substitute "BEHIND THE  
8 METER OF".

9 Page 7, line 3, strike "BOARD." and substitute "BOARD; EXCEPT THAT NO  
10 RENEWABLE ENERGY IMPROVEMENT SHALL BE AUTHORIZED THAT  
11 INTERFERES WITH A RIGHT HELD BY A PUBLIC UTILITY UNDER A  
12 CERTIFICATE ISSUED BY THE PUBLIC UTILITIES COMMISSION UNDER  
13 ARTICLE 5 OF TITLE 40, C.R.S. THE PUBLIC UTILITIES COMMISSION SHALL  
14 HAVE PRIMARY JURISDICTION TO ADJUDICATE DISPUTES AS TO WHETHER  
15 A RENEWABLE ENERGY IMPROVEMENT INTERFERES WITH SUCH A RIGHT."

16 Page 16, line 11, strike "BODY." and substitute "BODY; EXCEPT THAT NO  
17 RENEWABLE ENERGY IMPROVEMENT SHALL BE AUTHORIZED THAT  
18 INTERFERES WITH A RIGHT HELD BY A PUBLIC UTILITY UNDER A  
19 CERTIFICATE ISSUED BY THE PUBLIC UTILITIES COMMISSION UNDER  
20 ARTICLE 5 OF TITLE 40, C.R.S. THE PUBLIC UTILITIES COMMISSION SHALL  
21 HAVE PRIMARY JURISDICTION TO ADJUDICATE DISPUTES AS TO WHETHER  
22 A RENEWABLE ENERGY IMPROVEMENT INTERFERES WITH SUCH A RIGHT.";

23 line 14, strike "UPON OR SERVING" and substitute "BEHIND THE METER OF".

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