

**First Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO**

REVISED

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

LLS NO. 09-0801.01 Duane Gall

HOUSE BILL 09-1345

HOUSE SPONSORSHIP

Solano,

SENATE SPONSORSHIP

Schwartz,

House Committees

Transportation & Energy

Senate Committees

Local Government and Energy

A BILL FOR AN ACT

101 **CONCERNING INTEGRATED PLANNING FOR THE CONSTRUCTION OF**
102 **ELECTRIC TRANSMISSION FACILITIES IN COLORADO, AND, IN**
103 **CONNECTION THEREWITH, DIRECTING THE PUBLIC UTILITIES**
104 **COMMISSION TO COLLECT INFORMATION FROM OWNERS AND**
105 **OPERATORS OF TRANSMISSION INFRASTRUCTURE AND REPORT**
106 **ITS FINDINGS TO THE GENERAL ASSEMBLY.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Directs the public utilities commission (PUC) to study and report to the general assembly on the construction plans of owners and operators

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
May 4, 2009

HOUSE
3rd Reading Unamended
April 27, 2009

HOUSE
Amended 2nd Reading
April 24, 2009

of electric transmission facilities in Colorado, including:

- ! The adequacy of such planning, including issues related to interstate coordination;
- ! The need for future legislative action; and
- ! Other issues identified through public hearings and the solicitation of input from stakeholders and other governmental agencies.

Directs the commission to make an interim report on its progress by November 1, 2009, and deliver its final report by July 1, 2010.

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

2 **SECTION 1. Legislative declaration.** The general assembly
3 finds, determines, and declares that coordinated and integrated planning
4 of the construction of electric transmission lines is critical to the
5 development of Colorado's vast renewable energy resources and to the
6 improvement of the Western regional power grid, benefiting all
7 Coloradans. Further, the state's long-term economic viability depends
8 upon continuing improvements in the efficiency of state and regional
9 energy markets. The general assembly therefore finds that the public
10 utilities commission should confer with all owners and operators of
11 transmission facilities in Colorado and with affected stakeholders and
12 report to the general assembly on the integrated intermediate-term and
13 long-term plans for improving transmission infrastructure in Colorado
14 and the region.

15 **SECTION 2.** Article 4 of title 40, Colorado Revised Statutes, is
16 amended BY THE ADDITION OF A NEW SECTION to read:

17 **40-4-117. Integrated transmission facility planning - review by**
18 **commission - report - repeal.** (1) ON OR BEFORE JULY 1, 2010, THE
19 COMMISSION SHALL REPORT TO THE GENERAL ASSEMBLY ON THE
20 INTEGRATED TRANSMISSION PLANS OF OWNERS AND OPERATORS OF

1 TRANSMISSION FACILITIES IN COLORADO.

2 (2) THE COMMISSION'S REPORT SHALL ADDRESS:

3 (a) THE ADEQUACY OF THE INTEGRATED TRANSMISSION PLAN;

4 (b) WHETHER THE INTEGRATED TRANSMISSION PLAN IS
5 APPROPRIATELY COORDINATED WITH TRANSMISSION PLANS OF OTHER
6 STATES AND TRANSMISSION OPERATORS IN THE REGION; AND

7 (c) WHETHER FUTURE LEGISLATIVE ACTION IS REQUIRED TO
8 ENSURE CONTINUED PROGRESS WITH RESPECT TO THE TRANSMISSION
9 SYSTEM IN COLORADO.

10 (3) IN PREPARING ITS REPORT, THE COMMISSION SHALL:

11 (a) RELY UPON ANY EXISTING OR PENDING TRANSMISSION PLANS
12 THAT ARE SCHEDULED TO BE COMPLETED BY DECEMBER 31, 2009, RATHER
13 THAN REQUIRING THE PREPARATION OF NEW PLANS AS A SUBSTITUTE FOR
14 SUCH EXISTING OR PENDING PLANS;

15 (b) CONDUCT HEARINGS AND CONVENE WORKSHOPS AS IT DEEMS
16 NECESSARY TO COMPILE AND INTEGRATE SUCH TRANSMISSION PLANNING
17 INFORMATION;

18 (c) SEEK INPUT FROM A BROAD GROUP OF STAKEHOLDERS,
19 INCLUDING INVESTOR-OWNED UTILITIES, MUNICIPAL UTILITIES,
20 COOPERATIVE ELECTRIC ASSOCIATIONS, INCLUDING GENERATION AND
21 TRANSMISSION ASSOCIATIONS, FEDERAL TRANSMISSION PROVIDERS,
22 INDEPENDENT TRANSMISSION OWNERS, INDEPENDENT ENERGY PROVIDERS,
23 RENEWABLE ENERGY DEVELOPERS, LARGE ELECTRIC CONSUMERS,
24 REPRESENTATIVES OF LOCAL GOVERNMENT, ENVIRONMENTAL
25 ADVOCATES, AND CONSUMER REPRESENTATIVES; AND

26 (d) CONFER WITH APPROPRIATE FEDERAL AGENCIES AND WITH
27 OTHER STATE UTILITY REGULATORS IN THE REGION.

1 (4) ON OR BEFORE NOVEMBER 1, 2009, THE COMMISSION SHALL
2 REPORT TO THE GENERAL ASSEMBLY ON ITS PROGRESS IN PREPARING THE
3 REPORT AND SHALL IDENTIFY ANY IMPEDIMENTS TO THE COMPLETION OF
4 THE REPORT.

5 (5) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO LIMIT OR
6 EXPAND THE COMMISSION'S EXISTING AUTHORITY CONCERNING THE
7 REGULATION OF TRANSMISSION FACILITIES.

8 (6) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2011.

9 **SECTION 3. Safety clause.** The general assembly hereby finds,
10 determines, and declares that this act is necessary for the immediate
11 preservation of the public peace, health, and safety.