

First Regular Session  
Sixty-eighth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 11-0469.01 Thomas Morris

HOUSE BILL 11-1271

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HOUSE SPONSORSHIP

Scott,

SENATE SPONSORSHIP

Jahn,

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House Committees  
Transportation

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING LIMITATIONS ON ELECTRIC UTILITIES' ABILITY TO  
102 ESTABLISH A GRADUATED SCALE OF CHARGES.

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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>.)*

Current law allows heat, light, gas, water, power, and telephone utilities to establish a graduated scale of charges. The bill requires electric utilities that are currently charging a residential tiered rate to file with the public utilities commission a revised residential rate design by April 30, 2011, to take effect on or before June 1, 2011, that collapses the

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.*

residential summer tiered rate into a single rate that applies to all kilowatt-hours consumed by the residential customer during the summer. The single rate must be designed to collect the same revenues during the summer as the tiered rate was designed to collect. An electric utility cannot charge a residential tiered rate or residential inverted block rate until the utility files a new electric rate case.

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

2           **SECTION 1.** 40-3-106 (2), Colorado Revised Statutes, is  
3 amended to read:

4           **40-3-106. Advantages prohibited - graduated schedules -**  
5 **consideration of household income and other factors - definitions.**

6 (2) (a) Nothing in articles 1 to 7 of this title ~~shall be taken to prohibit~~  
7 PROHIBITS a public utility engaged in the production, generation,  
8 transmission, or furnishing of heat, light, gas, water, power, or telephone  
9 service from establishing a graduated scale of charges subject to ~~the~~  
10 ~~provisions of~~ this title.

11           (b) EACH ELECTRIC UTILITY THAT, ON THE EFFECTIVE DATE OF THIS  
12 PARAGRAPH (b), IS CHARGING A RESIDENTIAL TIERED RATE SHALL FILE  
13 WITH THE COMMISSION A REVISED RESIDENTIAL RATE DESIGN BY APRIL 30,  
14 2011, TO TAKE EFFECT ON OR BEFORE JUNE 1, 2011, THAT COLLAPSES THE  
15 RESIDENTIAL SUMMER TIERED RATE INTO A SINGLE RATE THAT APPLIES TO  
16 ALL KILOWATT-HOURS CONSUMED BY THE RESIDENTIAL CUSTOMER  
17 DURING THE SUMMER. THE SINGLE RATE MUST BE DESIGNED TO BE  
18 REVENUE-NEUTRAL TO THE ELECTRIC UTILITY DURING THE SUMMER WHEN  
19 COMPARED TO THE TIERED RATE. AN ELECTRIC UTILITY SHALL NOT  
20 CHARGE A RESIDENTIAL TIERED RATE OR RESIDENTIAL INVERTED BLOCK  
21 RATE UNTIL THE UTILITY FILES A NEW ELECTRIC RATE CASE.

22           **SECTION 2. Applicability.** This act shall apply to rates charged

1 on or after the effective date of this act.

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