

Second Regular Session  
Sixty-eighth General Assembly  
STATE OF COLORADO

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 12-0903.01 Jennifer Berman x3286

**SENATE BILL 12-183**

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**SENATE SPONSORSHIP**

**Boyd,**

**HOUSE SPONSORSHIP**

**(None),**

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**Senate Committees**

Health and Human Services  
Appropriations

**House Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING RESTRICTIONS ON A UTILITY'S ABILITY TO DISCONNECT**  
102 **CERTAIN RESIDENTIAL CUSTOMERS' UTILITY SERVICE, AND, IN**  
103 **CONNECTION THEREWITH, DIRECTING THE COMMISSION ON**  
104 **LOW-INCOME ENERGY ASSISTANCE TO REVIEW AND REPORT ON**  
105 **THE EFFECTIVENESS OF EXISTING MEASURES CONCERNING**  
106 **DISCONTINUANCE OF SERVICE AND LOW-INCOME RATE RELIEF.**

**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>.)*

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.*

Currently, utilities providing gas and electric services to residential customers are prohibited from terminating service during certain periods if the termination would be especially dangerous to the health or safety of the customer.

The bill adds additional circumstances under which utilities providing gas or electric heating services for residential customers may not disconnect a residential customer's service between the months of November and March if the customer demonstrates that he or she is a member of a low-income household or that he or she, or a member of his or her household, is in the military and has been deployed on active duty. In addition to demonstrating his or her income eligibility, a residential customer who is a member of a low-income household must apply for a payment plan with the utility and demonstrate his or her eligibility, and application, for low-income energy assistance to be exempt from disconnection between the months of November and March.

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

2 **SECTION 1.** In Colorado Revised Statutes, 40-2-108, **add** (3) as  
3 follows:

4 **40-2-108. Rules - repeal.** (3) (a) THE COMMISSION SHALL  
5 REQUIRE NATURAL GAS AND ELECTRIC UTILITIES SUBJECT TO ITS  
6 JURISDICTION TO PROVIDE THE COMMISSION ON LOW-INCOME ENERGY  
7 ASSISTANCE, CREATED IN SECTION 40-8.5-103.5, DATA CONCERNING  
8 NOTIFICATION AND DISCONTINUANCE OF UTILITY SERVICE TO RESIDENTIAL  
9 CUSTOMERS TO ASSIST WITH THE ASSESSMENT AND REVIEW REQUIRED BY  
10 SECTION 40-8.5-103.5 (5).

11 (b) THIS SUBSECTION (3) IS REPEALED, EFFECTIVE JULY 1, 2014.

12 **SECTION 2.** In Colorado Revised Statutes, 40-8.5-103.5, **add** (5)  
13 as follows:

14 **40-8.5-103.5. Commission created - duties - repeal.** (5) (a) ON  
15 OR BEFORE DECEMBER 15, 2013, THE COMMISSION SHALL MAKE  
16 RECOMMENDATIONS TO THE GOVERNOR, THE SPEAKER OF THE HOUSE OF  
17 REPRESENTATIVES, THE PRESIDENT OF THE SENATE, AND THE HOUSE

1 COMMITTEE ON HEALTH AND ENVIRONMENT AND THE SENATE COMMITTEE  
2 ON HEALTH AND HUMAN SERVICES, OR THEIR SUCCESSOR COMMITTEES,  
3 CONCERNING ANY NECESSARY LEGISLATIVE CHANGES TO EXISTING  
4 MEASURES INTENDED TO PREVENT THE DISCONTINUANCE OF RESIDENTIAL  
5 ELECTRIC AND NATURAL GAS SERVICE DURING PERIODS OF EXTREME  
6 WEATHER. THE COMMISSION SHALL CONSIDER CURRENT PRACTICES,  
7 POLICIES, AND RULES THAT ADDRESS THE DISCONTINUANCE OF SERVICE TO  
8 LOW-INCOME HOUSEHOLDS, INCLUDING VENDOR AGREEMENT  
9 REQUIREMENTS OF THE LOW-INCOME ENERGY ASSISTANCE PROGRAM,  
10 CREATED IN SECTION 40-8.7-104, RULES OF THE COLORADO PUBLIC  
11 UTILITIES COMMISSION CONCERNING DISCONTINUANCE OF NATURAL GAS  
12 AND ELECTRIC UTILITY SERVICE AND LOW-INCOME RATE RELIEF, AND  
13 CURRENT UTILITY PRACTICES.

14 (b) THE COMMISSION SHALL REVIEW DATA PROVIDED BY UTILITIES  
15 PURSUANT TO SECTION 40-2-108 (3) TO ASSESS THE IMPACT THAT  
16 EXISTING UTILITY RULES, AGREEMENTS, AND POLICIES HAVE ON  
17 LOW-INCOME RESIDENTIAL CUSTOMERS.

18 (c) THE COMMISSION MAY SEEK AND RECEIVE PUBLIC AND PRIVATE  
19 FUNDING TO ASSIST IN THE CONDUCT OF THE ASSESSMENT AND REVIEW  
20 REQUIRED BY PARAGRAPH (a) OF THIS SUBSECTION (5), INCLUDING  
21 ASSISTANCE FROM THE EXISTING RESOURCES OF THE DEPARTMENT OF  
22 HUMAN SERVICES, CREATED IN SECTION 24-1-120, C.R.S., THE EXISTING  
23 RESOURCES OF THE COLORADO PUBLIC UTILITIES COMMISSION, AND THE  
24 RESOURCES OF ENERGY OUTREACH COLORADO, A COLORADO NONPROFIT  
25 CORPORATION, AS DESCRIBED IN SECTION 40-8.7-112 (2) (a).

26 (d) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE JULY 1, 2014.

27 **SECTION 3. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.