

**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. 12-0577.01 Duane Gall x4335

**HOUSE BILL 12-1121**

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**HOUSE SPONSORSHIP**

**Scott,**

**SENATE SPONSORSHIP**

**(None),**

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**House Committees**  
Transportation

**Senate Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING ENACTMENT OF THE UTILITY RATEPAYERS' BILL OF**  
102             **RIGHTS FOR CUSTOMERS OF INVESTOR-OWNED UTILITIES IN**  
103             **COLORADO.**

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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>.)*

In statutes governing the conduct of rate-making proceedings by the Colorado public utilities commission (commission), the bill lists basic principles to be followed by the commission and by investor-owned public utilities seeking approval of rate increases. The principles include:

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.*

- ! Keeping in mind that investor-owned utilities exist for the benefit of consumers as well as utility shareholders, and that the interests of consumers should always be among the utility's highest priorities;
- ! Requiring utilities to share rate increase information with the public in a transparent and understandable form, including illustrating the cost impact to specific customers in addition to the hypothetical average customer;
- ! A prohibition on charging ratepayers for research and development costs or for complying with environmental regulations that have not yet been imposed; and
- ! A prohibition on recovering, from ratepayers, the utility's legal fees and costs incurred in seeking rate increases.

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

2 **SECTION 1.** In Colorado Revised Statutes, 40-2-124, **amend** (1)

3 (c) (I) (E) as follows:

4 **40-2-124. Renewable energy standard - definitions - net**

5 **metering - legislative declaration.** (1) Each provider of retail electric

6 service in the state of Colorado, other than municipally owned utilities

7 that serve forty thousand customers or fewer, shall be considered a

8 qualifying retail utility. Each qualifying retail utility, with the exception

9 of cooperative electric associations that have voted to exempt themselves

10 from commission jurisdiction pursuant to section 40-9.5-104 and

11 municipally owned utilities, shall be subject to the rules established under

12 this article by the commission. No additional regulatory authority of the

13 commission other than that specifically contained in this section is

14 provided or implied. In accordance with article 4 of title 24, C.R.S., the

15 commission shall revise or clarify existing rules to establish the

16 following:

17 (c) Electric resource standards:

18 (I) Except as provided in subparagraph (V) of this paragraph (c),

1 the electric resource standards shall require each qualifying retail utility  
2 to generate, or cause to be generated, electricity from eligible energy  
3 resources in the following minimum amounts:

4 (E) Thirty percent of its retail electricity sales in Colorado for the  
5 years 2020 and thereafter, with distributed generation equaling at least  
6 three percent of its retail electricity sales; EXCEPT THAT, IF THE  
7 COMMISSION FINDS THAT ACHIEVING THESE STANDARDS WOULD CREATE  
8 AN UNDUE FINANCIAL BURDEN ON RATEPAYERS, THE COMMISSION MAY  
9 SUSPEND THE IMPLEMENTATION OF THIS SUB-SUBPARAGRAPH (E) FOR UP  
10 TO TEN YEARS. THIS SUB-SUBPARAGRAPH (E) SHALL BE KNOWN AND MAY  
11 BE CITED AS THE "UTILITY RATEPAYERS' BILL OF RIGHTS".

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