

**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. 12-0030.01 Duane Gall x4335

HOUSE BILL 12-1123

HOUSE SPONSORSHIP

Conti, Becker, Brown, DelGrosso, Holbert, Murray, Nikkel, Ramirez, Scott, Summers,
Swalm, Szabo

SENATE SPONSORSHIP

Williams S.,

House Committees
Transportation

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING AN INCREASE IN THE TRANSPARENCY OF PROCEEDINGS**
102 **BEFORE THE PUBLIC UTILITIES COMMISSION BY REQUIRING THE**
103 **COMMISSION TO REPORT ANNUALLY TO THE GENERAL**
104 **ASSEMBLY REGARDING MATTERS DISCUSSED ON THE RECORD IN**
105 **ENERGY RATE CASES.**

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>.)

The bill requires the director of the public utilities commission

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.

(PUC) or the director's designee to report annually to the joint house and senate transportation committees regarding matters discussed on the record in energy rate case hearings that were decided by the commission during the immediately preceding 2 years.

For all rate cases included in the report, the bill directs the commission to estimate the economic impact of the rates involved, including the average increase or decrease in ratepayers' monthly bills.

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 40-2-103 as
3 follows:

4 **40-2-103. Director - duties - report.** (1) The executive director
5 of the department of regulatory agencies, pursuant to section 13 of article
6 XII of the state constitution, and with the approval of the commission,
7 shall appoint a director of the commission. The director ~~of the agency~~
8 shall manage the operations of the ~~agency~~ in order to carry out the public
9 utilities law, to carry out and implement policies, procedures, and
10 decisions made by the commission, ~~as defined in section 40-2-101 (1),~~
11 and to meet the requirements of the commission concerning any matters
12 within the authority of an agency transferred by a **type 1** transfer, as
13 defined in section 24-1-105, C.R.S., and which REQUIREMENTS are under
14 the jurisdiction of the commission. The director ~~shall have~~ HAS all the
15 powers and responsibilities of the division director for this purpose,
16 including the power to issue all necessary process, writs, warrants, and
17 notices. The director ~~shall have~~ HAS the requisite power to serve warrants
18 and other process in any county or city and county of this state and to
19 delegate such actions to duly authorized employees or agents of the
20 agency as appropriate.

21 (2) (a) BEGINNING WITH THE FIRST REGULAR SESSION OF THE
22 SIXTY-NINTH GENERAL ASSEMBLY, THE DIRECTOR OF THE COMMISSION OR

1 THE DIRECTOR'S DESIGNEE SHALL PRESENT AN ANNUAL REPORT TO THE
2 JOINT HOUSE AND SENATE TRANSPORTATION COMMITTEES, OR ANY
3 SUCCESSOR COMMITTEES, REGARDING ENERGY RATE CASES THAT CAME
4 BEFORE THE COMMISSION DURING THE IMMEDIATELY PRECEDING TWO
5 YEARS. THE REPORT AND ANY ACCOMPANYING MATERIALS MAY BE
6 PREPARED AND SUBMITTED TO THE COMMITTEES ELECTRONICALLY, AND
7 MUST INCLUDE THE DISPOSITION OF EACH ENERGY UTILITY RATE CASE BY
8 THE COMMISSION; THE AMOUNT OF ANY INCREASE OR DECREASE IN RATES
9 THAT RESULTED FROM EACH ENERGY UTILITY RATE CASE, EXPRESSED AS
10 A PERCENTAGE OF THE TOTAL AMOUNT BILLED TO RATEPAYERS PER
11 MONTH AND PER YEAR; AND THE DOLLAR AMOUNT OF THE AVERAGE
12 INCREASE OR DECREASE IN THE MONTHLY BILL PAID BY EACH CLASS OF
13 ENERGY UTILITY RATEPAYERS.

14 (b) THE DIRECTOR SHALL NOT REPORT ON MATTERS OUTSIDE THE
15 SCOPE OF THE EVIDENCE AND TESTIMONY PRESENTED AT THE HEARING.

16 **SECTION 2. Act subject to petition - effective date.** This act
17 shall take effect at 12:01 a.m. on the day following the expiration of the
18 ninety-day period after final adjournment of the general assembly (August
19 8, 2012, if adjournment sine die is on May 9, 2012); except that, if a
20 referendum petition is filed pursuant to section 1 (3) of article V of the
21 state constitution against this act or an item, section, or part of this act
22 within such period, then the act, item, section, or part shall not take effect
23 unless approved by the people at the general election to be held in
24 November 2012 and shall take effect on the date of the official
25 declaration of the vote thereon by the governor.