

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

**REVISED**

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

LLS NO. 13-0204.01 Duane Gall x4335

**HOUSE BILL 13-1027**

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**HOUSE SPONSORSHIP**

**Conti,**

**SENATE SPONSORSHIP**

**Tochtrop,**

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**House Committees**

Transportation & Energy  
Appropriations

**Senate Committees**

Transportation

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**A BILL FOR AN ACT**

101     **CONCERNING AN INCREASE IN THE TRANSPARENCY OF PROCEEDINGS**  
102             **BEFORE THE PUBLIC UTILITIES COMMISSION BY REQUIRING THE**  
103             **DIRECTOR OF THE COMMISSION TO REPORT ANNUALLY TO THE**  
104             **GENERAL ASSEMBLY REGARDING RECENT 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 (PUC) or the director's designee to report annually to the joint house and

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  
Amended 2nd Reading  
March 12, 2013

HOUSE  
3rd Reading Unamended  
February 5, 2013

HOUSE  
Amended 2nd Reading  
February 4, 2013

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.

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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 SECOND 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 AND TO THE  
3 HOUSE BUSINESS, LABOR, AND ECONOMIC AND WORKFORCE DEVELOPMENT  
4 COMMITTEE AND THE SENATE BUSINESS, LABOR, & TECHNOLOGY  
5 COMMITTEE, OR ANY SUCCESSOR COMMITTEES, REGARDING ENERGY RATE  
6 CASES THAT CAME BEFORE THE COMMISSION DURING THE IMMEDIATELY  
7 PRECEDING TWO YEARS. THE REPORT AND ANY ACCOMPANYING  
8 MATERIALS MAY BE PREPARED AND SUBMITTED TO THE COMMITTEES IN  
9 HARD COPY FORM OR ELECTRONICALLY AND MUST INCLUDE A SYNOPSIS,  
10 IN PLAIN LANGUAGE, OF THE ISSUES AND THE OUTCOME OF EACH ENERGY  
11 UTILITY RATE CASE; THE AMOUNT OF ANY INCREASE OR DECREASE IN  
12 RATES THAT RESULTED FROM EACH ENERGY UTILITY RATE CASE,  
13 EXPRESSED AS A PERCENTAGE OF THE TOTAL AMOUNT BILLED TO  
14 RATEPAYERS PER MONTH AND PER YEAR; AND THE DOLLAR AMOUNT OF  
15 THE AVERAGE INCREASE OR DECREASE IN THE MONTHLY BILL PAID BY  
16 EACH CLASS OF ENERGY UTILITY RATEPAYERS. IN ADDITION, THE  
17 DIRECTOR SHALL MAKE THE PLAIN-LANGUAGE SYNOPSIS AVAILABLE TO  
18 THE PUBLIC BY POSTING THE SYNOPSIS ON THE COMMISSION'S WEB SITE.

19 (b) THE DIRECTOR MAY REPORT ON MATTERS OUTSIDE THE SCOPE  
20 OF THE EVIDENCE AND TESTIMONY PRESENTED AT A RATE CASE HEARING.

21 (c) THE REPORT DESCRIBED IN THIS SUBSECTION (2) MAY BE  
22 PRESENTED AT THE SAME TIME AS, AND THE DIRECTOR IS ENCOURAGED TO  
23 ACCOMPANY IT WITH, ANY OTHER FORMAL OR INFORMAL REPORT ON THE  
24 COMMISSION'S OPERATIONS, INCLUDING A CONSUMER SAVINGS REPORT.

25 **SECTION 2. Act subject to petition - effective date.** This act  
26 takes effect at 12:01 a.m. on the day following the expiration of the  
27 ninety-day period after final adjournment of the general assembly (August

1 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a  
2 referendum petition is filed pursuant to section 1 (3) of article V of the  
3 state constitution against this act or an item, section, or part of this act  
4 within such period, then the act, item, section, or part will not take effect  
5 unless approved by the people at the general election to be held in  
6 November 2014 and, in such case, will take effect on the date of the  
7 official declaration of the vote thereon by the governor.