

**First Regular Session
Seventieth General Assembly
STATE OF COLORADO**

PREAMENDED

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

LLS NO. 15-0984.01 Duane Gall x4335

HOUSE BILL 15-1284

HOUSE SPONSORSHIP

Winter and Roupe, Garnett

SENATE SPONSORSHIP

Grantham and Hodge,

House Committees
Transportation & Energy

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING MEASURES TO ENHANCE PROGRAM EFFICIENCY FOR**
102 **SHARED PHOTOVOLTAIC ENERGY GENERATION FACILITIES.**

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>.)

Under Colorado's renewable energy standard, qualifying retail utilities are required to obtain a portion of their energy from renewable sources, including customer-sited facilities such as rooftop solar panels. Recent legislation allowed customers who wished to install such facilities, but whose property was not well suited to that purpose, to buy into a centrally located facility with other customers (subscribers). This

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.*

arrangement is known as a community solar garden or CSG.

The existing CSG statute requires a subscriber to live in the same county as the CSG unless the subscriber lives in a county with a population of less than 20,000, in which case the CSG may be in an adjacent county that also has a population of less than 20,000. The bill deletes these population requirements. It also increases the minimum number of subscribers in a CSG from the current minimum of 10 to at least 25 for installations larger than 500 kilowatts. Provisions governing a utility's recovery of costs attributable to operation of a CSG are amended to more precisely define the types of costs for which recovery is allowed and the methods by which they may be recovered.

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

2 **SECTION 1.** In Colorado Revised Statutes, 40-2-127, **amend** (2)

3 (b) (II) as follows:

4 **40-2-127. Community energy funds - community solar**
5 **gardens - definitions - rules - legislative declaration. (2) Definitions.**

6 As used in this section, unless the context otherwise requires:

7 (b) In addition:

8 

9 (II) "Subscriber" means a retail customer of a qualifying retail
10 utility who owns a subscription and who has identified one or more
11 physical locations to which the subscription ~~shall be~~ IS attributed. Such
12 physical locations ~~shall~~ MUST be ~~within either the same municipality or~~
13 ~~the same county as the community solar garden; except that, if the~~
14 ~~subscriber lives in a county with a population of less than twenty~~
15 ~~thousand, according to the most recent available census figures, such~~
16 ~~physical locations may be in another county, also with a population of less~~
17 ~~than twenty thousand; within the service territory of the same qualifying~~
18 retail utility and also IN THE SAME COUNTY AS, OR A COUNTY adjacent to,
19 that of the community solar garden. The subscriber may change from time

1 to time the premises to which the community solar garden electricity
2 generation shall be attributed, so long as the premises are within the
3 geographical limits allowed for a subscriber.

4 [REDACTED]

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