

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

PREAMENDED

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

LLS NO. 15-1035.02 Jennifer Berman x3286

HOUSE BILL 15-1364

HOUSE SPONSORSHIP

Coram and Mitsch Bush,

SENATE SPONSORSHIP

(None),

House Committees
Transportation & Energy

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING A LIMITATION ON THE SCOPE OF AN INSPECTION OF A**
102 **SMALL HYDROELECTRIC ENERGY FACILITY CONDUCTED BY THE**
103 **STATE ELECTRICAL BOARD.**

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/bills summaries>.)

In 2014, the general assembly passed legislation to amend the inspection standards applied to small hydroelectric generation (small hydro) equipment to align with the minimum standards set forth in the 2011 "National Electrical Code" for small wind electrical production (small wind code). The small wind code provides specific limited

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.*

installation and maintenance requirements for small wind electrical production; however, application of the small wind code does not provide for limited inspections when adapted to hydroelectric energy facilities that are connected to a utility's distribution lines. The bill clarifies that limited inspections apply to small hydro:

- ! Regardless of whether the facilities are connected to utility or other distribution lines; and
- ! For both inverter-based hydroelectric energy facilities and induction-based hydroelectric energy facilities generating 100 kilowatts or less.

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-23-104, **amend**
3 (2) (f); and **add** (2) (f.3) as follows:

4 **12-23-104. Board powers and duties - rules.** (2) In addition to
5 all other powers and duties conferred or imposed upon the board by this
6 article, the board is authorized to:

7 (f) Inspect and approve or disapprove the installation of electrical
8 wiring, renewable energy systems, apparatus, or equipment for electric
9 light, heat, and power according to the minimum standards in the national
10 electrical code or as prescribed in this article. With respect to: a

11 (I) AN INVERTER-BASED hydroelectric energy facility GENERATING
12 ONE HUNDRED KILOWATTS OR LESS, REGARDLESS OF WHETHER THE
13 FACILITY IS CONNECTED TO UTILITY OR OTHER DISTRIBUTION LINES, an
14 inspector shall inspect ~~the installation of a hydroelectric energy~~
15 ~~turbine-generator to power inverter equipment train, supporting electrical~~
16 ~~wiring and cabling, or other auxiliary apparatuses or equipment needed~~
17 ~~to produce electrical heat, light, or power~~ INSTALLATION in accordance
18 with

19 (⊕) the minimum standards set forth in the 2011 national electrical
20 code for small wind electrical production. ~~until the adoption of the 2017~~

1 ~~national electrical code; or~~ THE INSPECTOR SHALL RECOGNIZE THAT A
2 MICROHYDRO ASSEMBLY MANUFACTURED FOR THE SOLE PURPOSE OF
3 GENERATING ELECTRICITY IN A MICROHYDRO SYSTEM IS APPROVED FOR
4 THE INTENDED USE PURSUANT TO SECTION 705.4 OF THE NATIONAL
5 ELECTRICAL CODE IN EFFECT ON THE EFFECTIVE DATE OF THIS PARAGRAPH
6 (f).

7 (II) ~~If the National Electrical Code is updated to address~~
8 ~~hydroelectric energy specifically, the hydroelectric energy provisions of~~
9 ~~the updated national electrical code~~ AN INDUCTION-BASED
10 HYDROELECTRIC ENERGY FACILITY GENERATING ONE HUNDRED
11 KILOWATTS OR LESS, REGARDLESS OF WHETHER THE FACILITY IS
12 CONNECTED TO UTILITY OR OTHER DISTRIBUTION LINES, THE
13 INSTALLATION OF A HYDROELECTRIC ENERGY TURBINE, INDUCTION
14 GENERATOR, AND CONTROL PANEL SHALL BE CERTIFIED:

15 (A) TO A LISTING STANDARD BY A FIELD EVALUATION BODY OR
16 NATIONALLY RECOGNIZED TESTING LABORATORY; OR

17 (B) BY A PROFESSIONAL ENGINEER, BY MEANS OF SIGNING AND
18 STAMPING DOCUMENTATION OF THE PROJECT, AS REQUIRED IN A FORM AND
19 MANNER DETERMINED BY THE BOARD, INDICATING THAT THE
20 INSTALLATION MEETS DESIGN CRITERIA SET FORTH IN THE INSTITUTE OF
21 ELECTRICAL AND ELECTRONICS ENGINEERS' (IEEE) STANDARD FOR
22 INTERCONNECTING DISTRIBUTED RESOURCES WITH ELECTRIC POWER
23 SYSTEMS.

24 (f.3) APPLY ANY HYDROELECTRIC ENERGY PROVISIONS OF AN
25 UPDATED NATIONAL ELECTRICAL CODE, NOTWITHSTANDING ANY
26 PROVISION IN PARAGRAPH (f) TO THE CONTRARY, IF THE NATIONAL
27 ELECTRICAL CODE IS UPDATED TO ADDRESS HYDROELECTRIC ENERGY

1 SPECIFICALLY.

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