Committee on Energy & Environment.

After consideration on the merits, the Committee recommends the following:

HB20-1225 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 4, line 2, after "SYSTEMS" insert "THAT ARE CONNECTED TO THE COOPERATIVE ELECTRIC ASSOCIATION'S ELECTRICAL SYSTEM AND WILL NOT, AT ANY TIME, FLOW ONTO THE TRANSMISSION FACILITIES OF A WHOLESALE ELECTRIC COOPERATIVE OR OTHER THIRD PARTY WITHOUT PRIOR AGREEMENT".

Page 4, after line 21 insert:

"SECTION 4. In Colorado Revised Statutes, 40-3-101, add (3) as follows:

40-3-101. Reasonable charges - adequate service. (3) (a) If a retail cooperative electric association, in conjunction with the payment of an applicable charge, withdraws from membership in a wholesale electric cooperative, as defined in section 40-2-136 (3)(c), that withdrawal is deemed to be a matter of statewide concern, and, in relation to such withdrawal:

(I) The wholesale electric cooperative will act in accordance with the obligation of good faith and fair dealing in implementing the withdrawal and shall not require or impose commercially unreasonable contractual terms on the retail cooperative electric association in relation to the withdrawal;

and

(II) The wholesale electric cooperative shall, upon request from the withdrawing retail cooperative electric association, facilitate the retail cooperative electric
ASSOCIATION'S TRANSITION FROM NATIVE LOAD TO A FIRM SERVICE TRANSMISSION CUSTOMER WITHOUT DIMINISHING THE WITHDRAWING RETAIL COOPERATIVE ELECTRIC ASSOCIATION'S NATIVE ELECTRIC LOAD PRIORITY FOR ACCESSING FIRM TRANSMISSION CAPACITY.

(b) THE COMMISSION HAS THE AUTHORITY TO ADJUDICATE COMPLAINTS ABOUT THE TERMS ON WHICH A WHOLESALE ELECTRIC COOPERATIVE IMPLEMENTS WITHDRAWAL PURSUANT TO THIS SUBSECTION (3).".

Renumber succeeding section accordingly.

Strike "COOPERATIVE ELECTRIC ASSOCIATION" and substitute "ELECTRIC COOPERATIVE" on: Page 3, lines 7 and 10.

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