

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

May 25, 2021

Committee on Transportation & Energy.

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

SB21-272 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

- 1 Amend printed bill, page 3, line 17, strike "AN".
- 2 Page 3, strike lines 18 through 20 and substitute "(1) AN INTERVENOR IN
3 ANY MATTER BEFORE THE COMMISSION SHALL DISCLOSE ANY OF THE
4 FOLLOWING RELATIONSHIPS THAT EXISTS OR, WITHIN THE IMMEDIATELY
5 PRECEDING TWENTY-FOUR MONTHS, EXISTED BETWEEN THE INTERVENOR
6 AND THE REGULATED UTILITY IN THE MATTER:
7 (a) ANY CORPORATE AFFILIATION WITH THE REGULATED UTILITY;
8 (b) THE RECEIPT OF ANY FUNDING FROM THE REGULATED UTILITY;
9 OR
10 (c) ANY OTHER FINANCIAL RELATIONSHIP BETWEEN THE
11 INTERVENOR AND THE REGULATED UTILITY.
12 (2) THE COMMISSION SHALL PUBLISH ON ITS WEBSITE ALL
13 DISCLOSURES MADE PURSUANT TO THIS SECTION."
- 14 Page 8, line 23, strike "CUSTOMER SERVICE,".
- 15 Page 9, strike lines 20 through 25 and substitute "SOLAR GARDEN WAS
16 ALLOCATED CAPACITY AND SHALL DETERMINE WHETHER AN INFLATION
17 ADJUSTMENT FOR THE FIXED RATES IS APPROPRIATE."
- 18 Page 12, after line 15 insert:
- 19 **"SECTION 11.** In Colorado Revised Statutes, 40-41-103, **amend**
20 (2)(a) and (2)(b); and **add** (2)(d) as follows:

1 **40-41-103. Financing orders - application requirements.**

2 (2) (a) An investor-owned or other regulated electric utility may file an
3 application for approval to issue CO-EI bonds in one or more series,
4 impose, charge, and collect CO-EI charges, and create CO-EI property
5 related to:

6 (I) The retirement of an electric generating facility in Colorado
7 that has previously been approved by the commission; OR

8 (II) OTHER PROGRAMS OR PROJECTS AS APPROVED BY THE
9 COMMISSION, INCLUDING PROGRAMS OR PROJECTS TO MITIGATE THE
10 EFFECTS OF EXTREME WEATHER, WILDFIRES, CLIMATE CHANGE, OR OTHER
11 HAZARDS.

12 (b) An electric utility that is not regulated may file an application
13 for approval to issue CO-EI bonds in one or more series, impose, charge,
14 and collect CO-EI charges, and create CO-EI property related to:

15 (I) The retirement of an electric generating facility in Colorado;
16 OR

17 (II) OTHER PROGRAMS OR PROJECTS AS APPROVED BY THE
18 COMMISSION, INCLUDING PROGRAMS OR PROJECTS TO MITIGATE THE
19 EFFECTS OF EXTREME WEATHER, WILDFIRES, CLIMATE CHANGE, OR OTHER
20 HAZARDS.

21 (d) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE
22 COMMISSION SHALL NOT APPROVE THE ISSUANCE OF, NOR SHALL AN
23 ELECTRIC UTILITY ISSUE, CO-EI BONDS TO FINANCE THE PAYMENT OF
24 DAMAGES FOR A WILDFIRE OR OTHER LIABILITY OF THE ELECTRIC
25 UTILITY."

26 Renumber succeeding section accordingly.

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