

**First Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

PREAMENDED

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

LLS NO. 17-0633.01 Jennifer Berman x3286

SENATE BILL 17-105

SENATE SPONSORSHIP

Garcia, Cooke, Fenberg, Jones

HOUSE SPONSORSHIP

(None),

Senate Committees

Agriculture, Natural Resources, & Energy

House Committees

A BILL FOR AN ACT

101 **CONCERNING CONSUMERS' RIGHT TO KNOW THEIR ELECTRIC UTILITY**
102 **CHARGES BY REQUIRING INVESTOR-OWNED ELECTRIC UTILITIES**
103 **TO PROVIDE THEIR CUSTOMERS WITH A COMPREHENSIVE**
104 **BREAKDOWN OF COST ON THEIR MONTHLY BILLS.**

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://leg.colorado.gov>.)

The bill requires an investor-owned electric utility to file with the public utilities commission (commission) for the commission's review a comprehensive billing format that the investor-owned electric utility has

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.*

developed for its monthly billing of customers. An investor-owned electric utility shall file the comprehensive billing format at the time of filing a rate schedule with the commission. The comprehensive billing format must include the following:

- ! A line-item representation of all monthly charges and credits applied to the customer;
- ! For months in which tiered rates are applied, a breakdown of the tiered rates and the amount of usage to which each rate was applied for the month;
- ! The rate and usage for the current month and each of the previous 12 months, as shown in a bar graph or other visual format; and
- ! For customers to which demand rates apply, a listing of the demand charge, aggregated data about the range and average of kilowatts used during the various demand periods of the billing period, and, if the customer is a residential customer, a calculation of the amount that the customer would have been billed had standard residential rates applied.

The bill sets forth procedures for the commission's review of a filed comprehensive billing format and provides that once a comprehensive billing format has been approved by the commission, the investor-owned utility need not refile it unless changes have been made to it.

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 40-3-103 as
3 follows:

4 **40-3-103. Utilities to file rate schedules - rules.** (1) Under ~~such~~
5 THE rules as PRESCRIBED BY the commission, ~~may prescribe, every~~ EACH
6 public utility shall file with the commission, within ~~such~~ THE time and in
7 ~~such~~ THE form as DESIGNATED BY the commission, ~~may designate~~, and
8 shall print and keep open to public inspection, schedules showing all
9 rates, tolls, rentals, charges, and classifications collected or enforced, or
10 to be collected and enforced, together with all rules, regulations,
11 contracts, privileges, and facilities that in any manner affect or relate to

1 rates, tolls, rentals, classifications, or service.

2 (2) (a) ON OR AFTER JANUARY 1, 2018, ON A SCHEDULE
3 DETERMINED BY THE COMMISSION, EACH INVESTOR-OWNED ELECTRIC
4 UTILITY SHALL FILE FOR THE COMMISSION'S REVIEW A COMPREHENSIVE
5 BILLING FORMAT THAT THE INVESTOR-OWNED ELECTRIC UTILITY HAS
6 DEVELOPED FOR ITS MONTHLY BILLING OF CUSTOMERS. THE
7 COMPREHENSIVE BILLING FORMAT MUST INCLUDE THE FOLLOWING
8 COMPONENTS OF A CUSTOMER'S MONTHLY BILL:

9 (I) A LINE-ITEM REPRESENTATION OF ALL MONTHLY CHARGES AND
10 CREDITS APPLIED TO THE CUSTOMER AND AN INDICATION OF WHETHER THE
11 CHARGES HAVE INCREASED FROM THE PRIOR MONTH AS A RESULT OF
12 INCREASED FUEL COSTS;

13 (II) FOR MONTHS IN WHICH TIERED RATES ARE APPLIED, A
14 BREAKDOWN OF THE TIERED RATES AND THE AMOUNT OF USAGE TO WHICH
15 EACH RATE WAS APPLIED FOR THE MONTH;

16 (III) THE RATE AND USAGE FOR THE CURRENT MONTH AND EACH
17 OF THE PREVIOUS TWELVE MONTHS, AS SHOWN IN A BAR GRAPH OR
18 SIMILAR VISUAL FORMAT; AND

19 (IV) FOR CUSTOMERS TO WHICH DEMAND RATES APPLY:

20 (A) A LISTING OF THE APPLICABLE DEMAND CHARGE;

21 (B) AFTER AGGREGATING THE DATA OF THE BILLING PERIOD, A
22 CALCULATION OF THE DEMAND DURING THE BILLING PERIOD; AND _____

23 (C) IF THE CUSTOMER IS A RESIDENTIAL CUSTOMER, A
24 CALCULATION OF THE AMOUNT THAT THE RESIDENTIAL CUSTOMER WOULD
25 HAVE BEEN BILLED HAD STANDARD RESIDENTIAL RATES APPLIED.

26 (b) EACH INVESTOR-OWNED UTILITY SHALL PROVIDE ITS
27 CUSTOMERS, ON A BIENNIAL BASIS, WITH AN INSERT THAT INDICATES, AS

1 A PERCENTAGE, EACH FUEL SOURCE USED IN POWER GENERATION AND
2 PURCHASED FOR THAT UTILITY, INCLUDING RENEWABLE ENERGY SOURCES,
3 NATURAL GAS, AND COAL.

4 (c) (I) THE COMMISSION SHALL REVIEW A FILING SUBMITTED
5 PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION WITHIN THIRTY DAYS
6 AFTER THE FILING. IF THE COMMISSION DETERMINES THAT THE FILING DOES
7 NOT MEET THE COMPREHENSIVE BILLING FORMAT REQUIREMENTS SET
8 FORTH IN SUBSECTION (2)(a) OF THIS SECTION, THE COMMISSION MAY
9 REQUIRE THE INVESTOR-OWNED ELECTRIC UTILITY TO RESUBMIT A
10 COMPREHENSIVE BILLING FORMAT IN COMPLIANCE WITH THE
11 REQUIREMENTS. THE COMMISSION SHALL NOTIFY THE INVESTOR-OWNED
12 ELECTRIC UTILITY IN WRITING OF THE REASONS FOR THE DEFICIENCY, AND
13 THE INVESTOR-OWNED ELECTRIC UTILITY SHALL RESUBMIT A
14 COMPREHENSIVE BILLING FORMAT IN COMPLIANCE WITH THE
15 REQUIREMENTS OF SUBSECTION (2)(a) OF THIS SECTION WITHIN SIXTY DAYS
16 AFTER THE DATE OF THE COMMISSION'S NOTICE OF DEFICIENCY; EXCEPT
17 THAT THE COMMISSION MAY, UPON REQUEST, EXTEND THE DEADLINE.

18 (II) AFTER THE COMMISSION HAS APPROVED A COMPREHENSIVE
19 BILLING FORMAT SUBMITTED BY AN INVESTOR-OWNED ELECTRIC UTILITY
20 PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION, THE INVESTOR-OWNED
21 ELECTRIC UTILITY NEED NOT SUBMIT A COMPREHENSIVE BILLING FORMAT
22 ALONG WITH SUBSEQUENT FILINGS OF ITS RATE SCHEDULE UNLESS THE
23 INVESTOR-OWNED ELECTRIC UTILITY MAKES CHANGES TO ITS
24 COMPREHENSIVE BILLING FORMAT.

25 **SECTION 2. Applicability.** This act applies to rate schedules
26 filed on or after the effective date of this act.

27 **SECTION 3. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.