

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

**PREAMENDED**

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

LLS NO. 21-0784.02 Duane Gall x 4335

**SENATE BILL 21-272**

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**SENATE SPONSORSHIP**

**Hansen and Fenberg,** Jaquez Lewis, Lee, Moreno, Pettersen, Priola, Story

**HOUSE SPONSORSHIP**

**Bernett,**

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**Senate Committees**

Transportation & Energy  
Finance  
Appropriations

**House Committees**

State, Civic, Military, & Veterans Affairs  
Finance  
Appropriations

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**A BILL FOR AN ACT**

101      **CONCERNING THE OPERATIONS OF THE PUBLIC UTILITIES COMMISSION,**  
102            **AND, IN CONNECTION THEREWITH, MODERNIZING THE**  
103            **COMMISSION'S STATUTORY DIRECTIVES REGARDING**  
104            **DISTRIBUTED GENERATION OF ELECTRICITY; REQUIRING**  
105            **ADDITIONAL DISCLOSURE FROM INTERVENORS IN ADVERSARIAL**  
106            **PROCEEDINGS; ■■■■ PROVIDING THE COMMISSIONERS WITH**  
107            **ACCESS TO INDEPENDENT SUBJECT-MATTER EXPERTS; AND**  
108            **MAKING AN APPROPRIATION.**

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**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*

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

SENATE  
3rd Reading Unamended  
June 1, 2021

SENATE  
Amended 2nd Reading  
May 28, 2021

<http://leg.colorado.gov>.)

**Section 1** of the bill authorizes the allocation of up to \$250,000 per year of the money that the commission receives from the public utilities commission fixed utility fund for outside consultants and experts.

**Section 2** requires an intervenor in a commission matter to disclose any financial relationship between that intervenor and any other intervenor in the matter.

**Section 3** directs the commission to adopt rules to require the commission, when considering any matter before the commission, to improve equity and prioritize disproportionately impacted communities.

Under current law, the annual fee collected from each regulated public utility is capped at 0.25% of the public utility's gross intrastate utility operating revenue for the preceding calendar year; except that the annual fee collected from a public utility that is a telephone corporation is capped at 0.20% of the telephone corporation's gross intrastate utility operating revenue for the preceding calendar year. **Section 4** removes the cap on annual fees collected from regulated public utilities.

**Section 5** requires the commission to promulgate rules requiring qualifying retail utilities subject to the renewable energy standard to retire renewable energy credits in a manner that benefits cities, counties, and businesses in the state and is consistent with timely attainment of the state's clean energy and climate goals.

**Section 6** requires the commission to promulgate rules to establish fixed rates for net metering credits provided to community solar garden subscribers on their electric bills.

With respect to the retirement of any electric generating facility, **section 7** requires an investor-owned electric utility to submit, and the commission to consider, net present value of revenue requirement projections, one based on using Colorado energy impact bonds and one based on not using Colorado energy impact bonds.

**Section 8** requires the commission, in approving a resource plan, to include the social cost of carbon dioxide with regard to a portfolio's net present value of revenue requirements.

**Section 9** requires each regulated public utility that uses resource planning software to provide commission staff with licenses to the software and with model assumptions used for the software.

**Section 10** expands the time for the commission to issue a decision on an application that is not accompanied by prefiled testimony and exhibits from 210 days to 250 days after the commission has deemed the application complete.

1           **SECTION 1.** In Colorado Revised Statutes, 40-2-104, **add** (4) as  
2 follows:

3           **40-2-104. Assistants and employees - utilization of**  
4 **independent experts.** (4) (a) OF THE MONEY THAT THE COMMISSION  
5 RECEIVES FROM THE PUBLIC UTILITIES COMMISSION FIXED UTILITY FUND  
6 PURSUANT TO SECTION 40-2-114 (1)(b)(II), UP TO TWO HUNDRED FIFTY  
7 THOUSAND DOLLARS PER YEAR MAY BE ALLOCATED TO PERSONAL  
8 SERVICES CONTRACTS WITH OUTSIDE CONSULTANTS AND EXPERTS THAT  
9 MEET CRITERIA SPECIFIED BY THE COMMISSION.

10           (b) THE AMOUNT ALLOCATED FOR OUTSIDE CONSULTANTS AND  
11 EXPERTS PURSUANT TO SUBSECTION (4)(a) OF THIS SECTION SHALL BE  
12 ADJUSTED ANNUALLY IN ACCORDANCE WITH CHANGES IN THE UNITED  
13 STATES DEPARTMENT OF LABOR'S BUREAU OF LABOR STATISTICS  
14 CONSUMER PRICE INDEX FOR DENVER-AURORA-LAKEWOOD FOR ALL  
15 ITEMS AND ALL URBAN CONSUMERS, OR ITS SUCCESSOR INDEX.

16           **SECTION 2.** In Colorado Revised Statutes, **add** 40-2-104.5 as  
17 follows:

18           **40-2-104.5. Financial disclosures by intervenors.** (1) AN  
19 INTERVENOR IN ANY MATTER BEFORE THE COMMISSION SHALL DISCLOSE  
20 ANY OF THE FOLLOWING RELATIONSHIPS THAT EXISTS OR, WITHIN THE  
21 IMMEDIATELY PRECEDING TWENTY-FOUR MONTHS, EXISTED BETWEEN THE  
22 INTERVENOR AND THE REGULATED UTILITY IN THE MATTER:

23           (a) ANY CORPORATE AFFILIATION WITH THE REGULATED UTILITY;

24           (b) THE RECEIPT OF ANY FUNDING FROM THE REGULATED UTILITY;

25           OR

26           (c) ANY OTHER FINANCIAL RELATIONSHIP BETWEEN THE  
27 INTERVENOR AND THE REGULATED UTILITY.

1           (2) THE COMMISSION SHALL PUBLISH ON ITS WEBSITE ALL  
2           DISCLOSURES MADE PURSUANT TO THIS SECTION.

3           **SECTION 3.** In Colorado Revised Statutes, 40-2-108, **add** (3) as  
4 follows:

5           **40-2-108. Rules - definitions.** (3) (a) THE COMMISSION SHALL  
6 PROMULGATE RULES REQUIRING THAT THE COMMISSION, IN ALL OF ITS  
7 WORK INCLUDING ITS REVIEW OF ALL FILINGS AND ITS DETERMINATION OF  
8 ALL ADJUDICATIONS, CONSIDER HOW BEST TO PROVIDE EQUITY, MINIMIZE  
9 IMPACTS, AND PRIORITIZE BENEFITS TO DISPROPORTIONATELY IMPACTED  
10 COMMUNITIES AND ADDRESS HISTORICAL INEQUALITIES.

11           (b) IN PROMULGATING RULES PURSUANT TO THIS SUBSECTION (3),  
12 THE COMMISSION SHALL IDENTIFY DISPROPORTIONATELY IMPACTED  
13 COMMUNITIES. IN IDENTIFYING THE COMMUNITIES, THE COMMISSION  
14 SHALL CONSIDER MINORITY, LOW-INCOME, TRIBAL, OR INDIGENOUS  
15 POPULATIONS IN THE STATE THAT EXPERIENCE DISPROPORTIONATE  
16 ENVIRONMENTAL HARM AND RISKS RESULTING FROM SUCH FACTORS AS  
17 INCREASED VULNERABILITY TO ENVIRONMENTAL DEGRADATION, LACK OF  
18 OPPORTUNITY FOR PUBLIC PARTICIPATION, OR OTHER FACTORS. INCREASED  
19 VULNERABILITY MAY BE ATTRIBUTABLE TO AN ACCUMULATION OF  
20 NEGATIVE OR A LACK OF POSITIVE ENVIRONMENTAL, HEALTH, ECONOMIC,  
21 OR SOCIAL CONDITIONS WITHIN THESE POPULATIONS.

22           (c) AS USED IN THIS SUBSECTION (3):

23           (I) "COST-BURDENED" MEANS A HOUSEHOLD THAT SPENDS MORE  
24 THAN THIRTY PERCENT OF ITS INCOME ON HOUSING.

25           (II) "DISPROPORTIONATELY IMPACTED COMMUNITY" MEANS A  
26 COMMUNITY THAT IS IN A CENSUS BLOCK GROUP, AS DETERMINED IN  
27 ACCORDANCE WITH THE MOST RECENT UNITED STATES DECENNIAL

1 CENSUS, WHERE THE PROPORTION OF HOUSEHOLDS THAT ARE LOW INCOME  
2 IS GREATER THAN FORTY PERCENT, THE PROPORTION OF HOUSEHOLDS  
3 THAT IDENTIFY AS MINORITY IS GREATER THAN FORTY PERCENT, OR THE  
4 PROPORTION OF HOUSEHOLDS THAT ARE HOUSING COST-BURDENED IS  
5 GREATER THAN FORTY PERCENT.

6 (III) "FEDERAL POVERTY LINE" HAS THE SAME MEANING AS  
7 "POVERTY LINE", AS DEFINED IN 42 U.S.C. SEC. 9902 (2).

8 (IV) "LOW INCOME" MEANS MEETING THE THRESHOLD FOR  
9 ASSISTANCE UNDER THE RELEVANT PROGRAM OR REGULATORY  
10 PROCEEDING IN WHICH THE COMMISSION IS CONDUCTING ITS REVIEW OR  
11 ADJUDICATION. THE THRESHOLD MAY INCLUDE ONE OR MORE OF THE  
12 FOLLOWING, WITHOUT LIMITATION:

13 (A) MEDIAN HOUSEHOLD INCOME LESS THAN OR EQUAL TO TWO  
14 HUNDRED PERCENT OF THE FEDERAL POVERTY LINE;

15 (B) MEDIAN HOUSEHOLD INCOME LESS THAN OR EQUAL TO EIGHTY  
16 PERCENT OF AREA MEDIAN INCOME; OR

17 (C) QUALIFICATION UNDER INCOME GUIDELINES ADOPTED BY THE  
18 DEPARTMENT OF HUMAN SERVICES PURSUANT TO SECTION 40-8.5-105.

19 **SECTION 4.** In Colorado Revised Statutes, **amend** 40-2-113 as  
20 follows:

21 **40-2-113. Collection of fees - limitation.** (1) On or before June  
22 15 of each year, the department of revenue shall notify each public utility  
23 subject to this ~~article~~ ARTICLE 2 of the amount of its fee for the ensuing  
24 fiscal year beginning July 1, computed by multiplying its gross intrastate  
25 utility operating revenues for the preceding calendar year, as set forth in  
26 its return filed for that purpose, by the percentage determined in  
27 accordance with section 40-2-112; but EXCEPT THAT the department of

1 revenue shall not require a public utility that is a telephone corporation to  
2 pay a fee in excess of ~~one-fifth~~ TWO-FIFTHS of one percent of its gross  
3 intrastate utility operating revenues for the preceding calendar year and  
4 shall not require any other public utility to pay a fee in excess of  
5 ~~one-quarter~~ FORTY-FIVE ONE-HUNDREDTHS of one percent of its gross  
6 intrastate utility operating revenues for the preceding calendar year.

7 (2) Each public utility shall pay the fee assessed against it to the  
8 department of revenue in equal quarterly installments on or before July  
9 15, October 15, January 15, and April 15 in each fiscal year. If a public  
10 utility does not make a payment by one of the quarterly deadlines, the  
11 department of revenue shall charge the public utility a penalty of ten  
12 percent of the installment due, together with interest at the rate of one  
13 percent per month on the amount of the unpaid installment until the full  
14 amount of the installment, penalty, and interest has been paid. Upon  
15 failure, refusal, or neglect of any public utility to pay the fee, or any  
16 penalty or interest, the attorney general shall bring suit in the name of the  
17 state to collect the amount due.

18 (3) THE COMMISSION SHALL ALLOW A PUBLIC UTILITY THAT IS NOT  
19 A TELEPHONE CORPORATION FULL RECOVERY OF FEES ASSESSED AND  
20 REMITTED TO THE DEPARTMENT OF REVENUE PURSUANT TO THIS SECTION.  
21 THE RECOVERY MECHANISM MUST INCLUDE THE ABILITY OF THE UTILITY,  
22 AT ITS OPTION, TO USE A DEFERRED ACCOUNT TO TRACK CHANGES IN FEES  
23 BETWEEN RATE PROCEEDINGS.

24 **SECTION 5.** In Colorado Revised Statutes, 40-2-124, **amend**  
25 (1)(d) as follows:

26 **40-2-124. Renewable energy standards - qualifying retail and**  
27 **wholesale utilities - definitions - net metering - legislative declaration**

1 - **rules.** (1) Each provider of retail electric service in the state of  
2 Colorado, other than municipally owned utilities that serve forty thousand  
3 customers or fewer, is a qualifying retail utility. Each qualifying retail  
4 utility, with the exception of cooperative electric associations that have  
5 voted to exempt themselves from commission jurisdiction pursuant to  
6 section 40-9.5-104 and municipally owned utilities, is subject to the rules  
7 established under this article 2 by the commission. No additional  
8 regulatory authority is provided to the commission other than that  
9 specifically contained in this section. In accordance with article 4 of title  
10 24, the commission shall revise or clarify existing rules to establish the  
11 following:

12 (d) (I) (A) SUBJECT TO RULES PROMULGATED PURSUANT TO  
13 SUBSECTION (1)(d)(II) OF THIS SECTION, a system of tradable renewable  
14 energy credits that A QUALIFYING RETAIL UTILITY may ~~be used by a~~  
15 ~~qualifying retail utility~~ USE to comply with this standard. The commission  
16 shall also analyze the effectiveness of utilizing any regional system of  
17 renewable energy credits in existence at the time of its rule-making  
18 process and determine whether the system is governed by rules that are  
19 consistent with the rules established for this ~~article~~ ARTICLE 2.

20 (B) The commission shall not restrict the qualifying retail utility's  
21 ownership OR PURCHASE of renewable energy ~~credits~~ if: The qualifying  
22 retail utility complies with the electric resource standard of ~~paragraph (c)~~  
23 ~~of this subsection (1)~~; SUBSECTION (1)(c) OF THIS SECTION AND THE  
24 CONDITIONS OF ANY RATE RECOVERY MECHANISM ADOPTED PURSUANT TO  
25 SUBSECTION (1)(f)(IV) OF THIS SECTION; THE QUALIFYING RETAIL UTILITY  
26 uses definitions of eligible energy resources that are limited to those  
27 identified in ~~paragraph (a) of this subsection (1)~~ SUBSECTION (1)(a) OF

1 THIS SECTION, as clarified by the commission, and does not exceed the  
2 retail rate impact established by ~~paragraph (g) of this subsection (1)~~  
3 SUBSECTION (1)(g) OF THIS SECTION; AND THE COMMISSION FINDS THAT  
4 THE RESOURCES ARE PRUDENTLY ACQUIRED AT A REASONABLE COST AND  
5 RATE IMPACT.

6 (C) Once a qualifying retail utility either receives a permit  
7 pursuant to article 7 or 8 of title 25 ~~C.R.S.~~, for a generation facility that  
8 relies on or is affected by the definitions of eligible energy resources or  
9 enters into a contract that relies on or is affected by the definitions of  
10 eligible energy resources, ~~such~~ THE definitions apply to the contract or  
11 facility notwithstanding any subsequent alteration of the definitions,  
12 whether by statute or rule.

13 (D) For purposes of compliance with the renewable energy  
14 standard, if a generation system uses a combination of fossil fuel and  
15 eligible renewable energy resources to generate electricity, a qualified  
16 retail utility that is not an investor-owned utility may count as eligible  
17 renewable energy only the proportion of the total electric output of the  
18 generation system that results from the use of eligible renewable energy  
19 resources.

20 (II) THE SYSTEM OF TRADABLE RENEWABLE ENERGY CREDITS  
21 MUST INCLUDE REQUIREMENTS FOR THE RETIREMENT OF RENEWABLE  
22 ENERGY CREDITS TO ENSURE THAT COMPLIANCE WITH THE RENEWABLE  
23 ENERGY STANDARD:

24 (A) IS EFFECTUATED IN A MANNER THAT BENEFITS COLORADO'S  
25 CITIES, COUNTIES, AND BUSINESSES;

26 (B) ENABLES A UTILITY'S CUSTOMERS TO ACCOUNT FOR THE  
27 ENVIRONMENTAL BENEFITS OF THE RENEWABLE ENERGY GENERATED TO



1 SERVE THOSE CUSTOMERS AND PURCHASED FOR THOSE CUSTOMERS; AND  
2 (C) IS CONSISTENT WITH TIMELY ATTAINMENT OF THE STATE'S  
3 CLEAN ENERGY AND CLIMATE GOALS.

4 == ==

5 **SECTION 6.** In Colorado Revised Statutes, **add** 40-2-137 as  
6 follows:

7 **40-2-137. Investor-owned utility electric resource planning -**  
8 **retirement of electric generation facility - commission to consider**  
9 **securitization as means of financing.** (1) FOR EACH INVESTOR-OWNED  
10 ELECTRIC UTILITY THAT SUBMITS FOR COMMISSION APPROVAL AN  
11 ELECTRIC RESOURCE PLAN THAT INCLUDES A PORTFOLIO IN WHICH AN  
12 EXISTING ELECTRIC GENERATING FACILITY IN THE STATE WOULD BE  
13 RETIRED, THE COMMISSION SHALL REQUIRE THE INVESTOR-OWNED  
14 ELECTRIC UTILITY TO PRESENT AS PART OF THE RESOURCE PLAN THE NET  
15 PRESENT VALUE OF REVENUE REQUIREMENTS FOR THE PORTFOLIO BASED  
16 ON:

17 (a) A PROJECTION IN WHICH THE INVESTOR-OWNED ELECTRIC  
18 UTILITY ISSUES CO-EI BONDS, AS DEFINED IN SECTION 40-41-102 (5), TO  
19 RECOVER, FINANCE, OR REFINANCE COSTS ARISING FROM THE RETIREMENT  
20 OF THE ELECTRIC GENERATING FACILITY PURSUANT TO THE "COLORADO  
21 ENERGY IMPACT BOND ACT", ARTICLE 41 OF THIS TITLE 40; AND

22 (b) A PROJECTION IN WHICH THE INVESTOR-OWNED ELECTRIC  
23 UTILITY DOES NOT ISSUE CO-EI BONDS.

24 (2) THE COMMISSION SHALL CONSIDER THE TWO NET PRESENT  
25 VALUE OF REVENUE REQUIREMENT OPTIONS PRESENTED BY THE  
26 INVESTOR-OWNED ELECTRIC UTILITY IN ITS REVIEW OF THE  
27 INVESTOR-OWNED ELECTRIC UTILITY'S ELECTRIC RESOURCE PLAN.

1           **SECTION 7.** In Colorado Revised Statutes, 40-3.2-106, **amend**  
2 (3) introductory portion and (3)(a) as follows:

3           **40-3.2-106. Costs of pollution in utility planning - definitions**  
4 - **rules.** (3) In approving a resource plan, EITHER WITH GENERIC  
5 RESOURCES OR IN THE ANALYSIS OF BIDS IN A COMPETITIVE SOLICITATION,  
6 the commission shall REQUIRE A COMPARISON OF THE PORTFOLIOS' NET  
7 PRESENT VALUE OF REVENUE REQUIREMENTS INCLUSIVE OF THE SOCIAL  
8 COST OF CARBON DIOXIDE. THE COMMISSION SHALL ALSO consider:

9           (a) The net present value OF REVENUE REQUIREMENTS of the cost  
10 of carbon dioxide OR CARBON DIOXIDE EQUIVALENT emissions;

11           ■ ■

12           **SECTION 8.** In Colorado Revised Statutes, 40-6-109.5, **amend**  
13 (2) as follows:

14           **40-6-109.5. Hearings on applications - time limits for**  
15 **decisions.** (2) In the case of any application not accompanied by prefiled  
16 testimony and exhibits, the commission shall issue its decision no later  
17 than two hundred ~~ten~~ FIFTY days after the application is deemed complete  
18 as prescribed by the commission's rules.

19           **SECTION 9.** In Colorado Revised Statutes, 40-41-103, **amend**  
20 (2)(a) and (2)(b); and add (2)(d) as follows:

21           **40-41-103. Financing orders - application requirements.**  
22 (2) (a) An investor-owned or other regulated electric utility may file an  
23 application for approval to issue CO-EI bonds in one or more series,  
24 impose, charge, and collect CO-EI charges, and create CO-EI property  
25 related to:

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

1           (II) OTHER PROGRAMS OR PROJECTS AS APPROVED BY THE  
2           COMMISSION, INCLUDING PROGRAMS OR PROJECTS TO MITIGATE THE  
3           EFFECTS OF EXTREME WEATHER, WILDFIRES, CLIMATE CHANGE, OR OTHER  
4           HAZARDS.

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

8           (I) The retirement of an electric generating facility in Colorado;  
9           OR

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

14           (d) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE  
15           COMMISSION SHALL NOT APPROVE THE ISSUANCE OF, NOR SHALL AN  
16           ELECTRIC UTILITY ISSUE, CO-EI BONDS TO FINANCE THE PAYMENT OF  
17           DAMAGES FOR A WILDFIRE OR OTHER LIABILITY OF THE ELECTRIC UTILITY.

18           **SECTION 10. Appropriation - adjustments to House Bill**  
19           **21-1269.** (1) To implement this act, appropriations made in H.B. 21-1269  
20           for the 2021-22 state fiscal year to the department of regulatory agencies  
21           for use by the public utilities commission are adjusted as follows:

22           (a) The general fund appropriation for personal services is  
23           decreased by \$41,391, and the related FTE is decreased by 0.5 FTE; and

24           (b) The general fund appropriation for operating expenses is  
25           decreased by \$7,010.

26           **SECTION 11. Appropriation - adjustments to Senate Bill**  
27           **21-108.** (1) To implement this act, appropriations made in S.B. 21-108

1 for the 2021-22 state fiscal year to the department of regulatory agencies  
2 are adjusted as follows:

3 (a) The general fund appropriation for use by the public utilities  
4 commission for personal services is decreased by \$264,878, and the  
5 related FTE is decreased by 3.7 FTE;

6 (b) The general fund appropriation for use by the public utilities  
7 commission for operating expenses is decreased by \$105,400; and

8 (c) The general fund appropriation for the purchase of legal  
9 services is decreased by \$53,170.

10 (2) To implement this act, the reappropriated funds appropriation  
11 made in S.B. 21-108 for the 2021-22 state fiscal year to the department  
12 of law is decreased by \$53,170, and the related FTE is decreased by 0.3  
13 FTE.

14 **SECTION 12. Appropriation.** (1) For the 2021-22 state fiscal  
15 year, \$48,391 is appropriated to the department of regulatory agencies for  
16 use by the public utilities commission. This appropriation is from the  
17 public utilities commission fixed utility fund created in section 40-2-114  
18 (1)(b)(II), C.R.S. To implement this act, the commission may use this  
19 appropriation for the implementation of H.B. 21-1269 as follows:

20 (a) \$41,381 for personal services, which amount is based on an  
21 assumption that the commission will require an additional 0.5 FTE; and

22 (b) \$7,010 for operating expenses.

23 (2) For the 2021-22 state fiscal year, \$500,000 is appropriated to  
24 the department of regulatory agencies for use by the public utilities  
25 commission. This appropriation is from the public utilities commission  
26 fixed utility fund created in section 40-2-114 (1)(b)(II), C.R.S. To  
27 implement this act, the commission may use this appropriation for the

1 implementation of S.B. 21-072.

2 (3) For the 2021-22 state fiscal year, \$423,448 is appropriated to  
3 the department of regulatory agencies. This appropriation is from the  
4 public utilities commission fixed utility fund created in section 40-2-114  
5 (1)(b)(II), C.R.S. To implement this act, the department may use this  
6 appropriation for the implementation of S.B. 21-108 as follows:

7 (a) \$264,878 for use by the public utilities commission for  
8 personal services, which amount is based on an assumption that the  
9 commission will require an additional 3.7 FTE;

10 (b) \$105,400 for use by the public utilities commission for  
11 operating expenses; and

12 (c) \$53,170 for the purchase of legal services.

13 (4) For the 2021-22 state fiscal year, \$53,170 is appropriated to  
14 the department of law. This appropriation is from reappropriated funds  
15 received from the department of regulatory agencies under subsection  
16 (3)(c) of this section and is based on an assumption that the department  
17 of law will require an additional 0.3 FTE. To implement this act, the  
18 department of law may use this appropriation to provide legal services for  
19 the department of regulatory agencies.

20 **SECTION 13. Applicability.** This act applies to conduct  
21 occurring on or after the effective date of this act.

22 **SECTION 14. Safety clause.** The general assembly hereby finds,  
23 determines, and declares that this act is necessary for the immediate  
24 preservation of the public peace, health, or safety.