

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

PREAMENDED

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

LLS NO. 24-0308.01 Christopher McMichael x4775

SENATE BILL 24-207

SENATE SPONSORSHIP

Fenberg and Hansen,

HOUSE SPONSORSHIP

Soper and Valdez,

Senate Committees

Transportation & Energy
Finance

House Committees

A BILL FOR AN ACT

101 **CONCERNING ACCESS TO DISTRIBUTED ENERGY, AND, IN CONNECTION**
102 **THEREWITH, ESTABLISHING REQUIREMENTS FOR THE**
103 **DEVELOPMENT OF INCLUSIVE COMMUNITY SOLAR CAPACITY**
104 **THAT INVESTOR-OWNED ELECTRIC UTILITIES MUST MAKE**
105 **AVAILABLE TO UTILITY CUSTOMERS AND REQUIRING THE**
106 **ACQUISITION OF DISTRIBUTED GENERATION FACILITIES PAIRED**
107 **WITH ENERGY STORAGE.**

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>.)

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

On or after January 1, 2026, but before February 1, 2026, an investor-owned electric utility (utility) with more than 500,000 customers must make at least 50 megawatts of inclusive community solar capacity available, and a utility with 500,000 or fewer customers must make at least 4 megawatts of inclusive community solar available.

Before February 1, 2027, a utility with more than 500,000 customers must make an additional 50 megawatts of inclusive community solar capacity available, plus any unclaimed capacity left over from the previous allocation cycle, and a utility with 500,000 or fewer customers must make an additional 4 megawatts of inclusive community solar available.

Under current law, a utility customer may subscribe to a portion of a community solar facility. The customer then receives a bill credit on the customer's monthly utility bill in an amount proportional to the customer's share of the community solar facility output. Current law establishes limits on the amount of output from community solar facilities that a utility may purchase.

The bill requires a utility to acquire the entire output of a community solar facility that is allocated capacity on or after January 1, 2026, (new facility) and apply community solar bill credits to that new facility's subscribers. The bill requires a new facility to:

- Not exceed 5 megawatts of capacity, measured in alternating current;
- Interconnect with a utility's distribution system;
- Comply with applicable requirements of the "Colorado Energy Sector Public Works Project Craft Labor Requirements Act";
- Reserve at least 51% of its capacity for income-qualified subscribers;
- Not allocate more than 40% of the new facility's capacity to a single subscriber; and
- Supply to a subscriber of the new facility no more than 120% of the expected average annual total consumption of electricity by the subscriber.

The bill affords certain protections for subscribers of new facilities. Subscriber organizations and subscription coordinators are prohibited from:

- Using credit scores, customer scores, or any utility deposit to deny prospective residential subscribers;
- Charging a sign-up or termination fee to residential subscribers;
- Engaging in misleading conduct or making false representations toward prospective subscribers; and
- Preventing a subscriber from transferring a subscription within the utility's service territory if the subscriber moves

residences.

A subscriber organization shall provide an income-qualified subscriber of a new facility with a subscription discount of at least:

- 25% of the value of the community solar bill credit;
- 30% of the value of the community solar bill credit if the new facility receives federal tax credits from the federal "Inflation Reduction Act of 2022" for the specific purpose of being located in an energy community; and
- 50% of the value of the community solar bill credit if the new facility receives federal tax credits from the federal "Inflation Reduction Act of 2022" specifically for providing income-qualified households with utility bill assistance.

The commission must also adopt a standardized form that contains relevant information and disclosures that subscriber organizations and subscription coordinators must provide to prospective subscribers.

The bill also directs the commission to establish:

- Cost-sharing mechanisms for new facilities that are connecting to the utility's distribution system, in which the new facility is required to pay only for its proportional share of system upgrades; and
- Reporting requirements for a utility regarding cost-sharing mechanisms and the cost-effectiveness of the utility's interconnection of new facilities when submitting a distribution system plan.

The commission may approve, conditionally approve, modify, or reject any distribution system plans proposed by a utility based on the utility's plans for interconnecting new facilities.

The bill authorizes the commission to approve cost recovery for energy purchased from a community solar facility by an investor-owned electric utility.

The bill also requires a utility with more than 500,000 customers to acquire 50 megawatts of distributed generation paired with energy storage by June 1, 2026, and an additional 50 megawatts of distributed generation paired with energy storage between January 1, 2027, and June 1, 2027.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that inclusive community solar:

4 (a) Provides electric utilities, ratepayers, and communities the

1 opportunity to realize the benefits of distributed energy generation;

2 (b) Expands equitable access to the clean energy transition for all
3 ratepayers and communities, particularly for income-qualified
4 households, renters, and other individuals who might not be able to install
5 on-site solar energy systems at their residences;

6 (c) Strengthens the security and reliability of the electric grid by
7 diversifying Colorado's electricity generation resources; and

8 (d) Contributes to the timely achievement of Colorado's
9 greenhouse gas emission reduction goals.

10 (2) The generally assembly further finds and declares that:

11 (a) Distributed generation that is paired with energy storage and
12 interconnected to the distribution grid can provide unique benefits to
13 electric ratepayers in Colorado, including:

14 (I) Alleviating stress on electric grid infrastructure in a
15 cost-effective manner, which makes it possible to defer or avoid costly
16 distribution and transmission system investments;

17 (II) Increasing the resilience and reliability of the electric
18 distribution grid;

19 (III) Avoiding or reducing negative impacts to the health, safety,
20 and welfare of Coloradans, especially for vulnerable populations;

21 (IV) Providing energy and capacity during times of peak demand
22 resulting in lower overall system costs; and

23 (V) Reducing utility-scale curtailment of solar output, which is
24 expected to be a growing problem during afternoon hours; and

25 (b) The deployment of distributed generation that is paired with
26 energy storage and interconnected to the distribution grid can result in
27 efficient system integration, optimized system value, and reduced

1 systemwide curtailment of energy generation, which will provide benefits
2 to electric ratepayers in Colorado.

3 (3) The general assembly further declares that:

4 (a) Colorado's existing community solar development should be
5 updated and made more inclusive to afford more Coloradans access to the
6 benefits of distributed energy resources and to position Colorado to take
7 advantage of federal funding under the federal "Inflation Reduction Act
8 of 2022"; and

9 (b) Enabling dispatchable distributed generation is in the public
10 interest and is necessary for a timely transition to clean, affordable, and
11 reliable energy.

12 **SECTION 2.** In Colorado Revised Statutes, 40-2-127, **add** (8) as
13 follows:

14 **40-2-127. Community energy funds - community solar**
15 **gardens - definitions - rules - legislative declaration - applicability -**
16 **repeal. (8) Applicability. (a) THIS SECTION APPLIES TO COMMUNITY**
17 **SOLAR CAPACITY THAT IS ALLOCATED ON OR BEFORE DECEMBER 31, 2025.**

18 (b) COMMUNITY SOLAR CAPACITY THAT IS ALLOCATED ON OR
19 AFTER JANUARY 1, 2026, IS ALLOCATED PURSUANT TO SECTION
20 40-2-127.2.

21 **SECTION 3.** In Colorado Revised Statutes, **add** 40-2-127.2 as
22 follows:

23 **40-2-127.2. Inclusive community solar development -**
24 **definitions - subscription requirements - program capacity - energy**
25 **bill credits - administration - rules - reports - applicability.**

26 (1) **Definitions - rules.** AS USED IN THIS SECTION, UNLESS THE CONTEXT
27 OTHERWISE REQUIRES:

1 (a) "AGRIVOLTAICS" HAS THE MEANING SET FORTH IN SECTION
2 35-1-114 (4)(a).

3 (b) (I) "COMMUNITY SOLAR BILL CREDIT" MEANS THE CREDIT
4 VALUE OF THE ELECTRICITY GENERATED BY A COMMUNITY SOLAR
5 FACILITY AND ALLOCATED TO A SUBSCRIBER TO OFFSET THE SUBSCRIBER'S
6 UTILITY BILL.

7 (II) A "COMMUNITY SOLAR BILL CREDIT" IS CALCULATED
8 PURSUANT TO THE NET METERING CREDIT METHODOLOGY ESTABLISHED IN
9 SECTION 40-2-127 (5)(b)(II)(A) TO (5)(b)(II)(H).

10 (c) "COMMUNITY SOLAR FACILITY", "COMMUNITY SOLAR
11 PROJECT", OR "FACILITY" MEANS A FACILITY:

12 (I) OWNED BY A SUBSCRIBER ORGANIZATION THAT GENERATES
13 ELECTRICITY BY MEANS OF A SOLAR PHOTOVOLTAIC DEVICE;

14 (II) THROUGH WHICH A SUBSCRIBER TO THE FACILITY RECEIVES A
15 COMMUNITY SOLAR BILL CREDIT FOR THE ELECTRICITY GENERATED IN
16 PROPORTION TO THE SUBSCRIBER'S SHARE OF THE FACILITY'S
17 KILOWATT-HOUR OUTPUT;

18 (III) THAT CONSTITUTES "RETAIL DISTRIBUTED GENERATION" AS
19 DESCRIBED IN SECTION 40-2-124; AND

20 (IV) THAT IS ALLOCATED INCLUSIVE COMMUNITY SOLAR CAPACITY
21 ON OR AFTER JANUARY 1, 2026.

22 (d) "CONSOLIDATED BILLING" MEANS THE INCLUSION OF THE
23 COMMUNITY SOLAR BILL CREDIT AND THE SUBSCRIPTION CHARGES ON A
24 CUSTOMER'S MONTHLY ELECTRIC UTILITY BILL.

25 (e) "INCLUSIVE COMMUNITY SOLAR" MEANS THE CAPACITY,
26 INTERCONNECTION, AND SUBSCRIPTION REQUIREMENTS SET FORTH IN THIS
27 SECTION WITH WHICH AN INVESTOR-OWNED ELECTRIC UTILITY,

1 SUBSCRIBER ORGANIZATION, AND SUBSCRIPTION COORDINATOR MUST
2 COMPLY WITH REGARD TO COMMUNITY SOLAR FACILITIES THAT ARE
3 ALLOCATED CAPACITY ON OR AFTER JANUARY 1, 2026.

4 (f) "INCOME-QUALIFIED UTILITY CUSTOMER" MEANS A
5 RESIDENTIAL UTILITY CUSTOMER WHO:

6 (I) HAS A HOUSEHOLD INCOME AT OR BELOW TWO HUNDRED
7 PERCENT OF THE CURRENT FEDERAL POVERTY LINE, AS DEFINED IN 42
8 U.S.C. SEC. 9902 (2);

9 (II) HAS A HOUSEHOLD INCOME AT OR BELOW EIGHTY PERCENT OF
10 THE AREA MEDIAN INCOME, AS DETERMINED BY THE UNITED STATES
11 DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT;

12 (III) MEETS INCOME ELIGIBILITY REQUIREMENTS AS DETERMINED
13 BY THE COLORADO DEPARTMENT OF HUMAN SERVICES BY RULE PURSUANT
14 TO SECTION 40-8.5-105; OR

15 (IV) DEMONSTRATES PARTICIPATION IN ONE OR MORE OF THE
16 INCOME-QUALIFIED PROGRAMS THAT ARE LISTED IN SUBSECTION (5)(c)(III)
17 OF THIS SECTION OR THAT THE COMMISSION DETERMINES PURSUANT TO
18 SUBSECTION (5)(c)(III)(G) OF THIS SECTION QUALIFIES A PROSPECTIVE
19 SUBSCRIBER FOR ELIGIBILITY AS AN INCOME-QUALIFIED UTILITY
20 CUSTOMER.

21 (g) "INVESTOR-OWNED ELECTRIC UTILITY" OR "UTILITY" MEANS A
22 RETAIL ELECTRIC UTILITY IN THE STATE THAT IS NOT A COOPERATIVE
23 ELECTRIC ASSOCIATION OR A MUNICIPALLY OWNED ELECTRIC UTILITY.

24 (h) "PREFERRED LOCATION" MEANS LOCATION ON A ROOFTOP; A
25 PARKING LOT; ANOTHER IMPERVIOUS SURFACE; A BROWNFIELD SITE, AS
26 DEFINED IN 42 U.S.C. SEC. 9601 (39), AS AMENDED; A BODY OF WATER; A
27 MUNICIPAL PROPERTY; A STATE PROPERTY; OR ANOTHER PREVIOUSLY

1 DISTURBED LOCATION AS IDENTIFIED BY THE COMMISSION BY RULE.

2 (i) "SUBSCRIBER" MEANS A RETAIL CUSTOMER OF AN
3 INVESTOR-OWNED ELECTRIC UTILITY THAT HAS ONE OR MORE
4 SUBSCRIPTIONS WITH A COMMUNITY SOLAR FACILITY THAT IS
5 INTERCONNECTED WITH THE UTILITY.

6 (j) "SUBSCRIBER ORGANIZATION" MEANS A PERSON THAT
7 DEVELOPS, OWNS, OR OPERATES A COMMUNITY SOLAR FACILITY AND MAY
8 INCLUDE A MUNICIPALITY, A COUNTY, A FOR-PROFIT ORGANIZATION, OR A
9 NONPROFIT ORGANIZATION BUT DOES NOT INCLUDE AN INVESTOR-OWNED
10 ELECTRIC UTILITY.

11 (k) "SUBSCRIPTION" MEANS A CONTRACT BETWEEN A SUBSCRIBER
12 AND A SUBSCRIBER ORGANIZATION OR A SUBSCRIPTION COORDINATOR FOR
13 A PORTION OF THE OUTPUT OF A COMMUNITY SOLAR FACILITY.

14 (l) "SUBSCRIPTION COORDINATOR" MEANS A PERSON THAT:

15 (I) MARKETS COMMUNITY SOLAR ENERGY GENERATING SYSTEMS
16 OR OTHERWISE PROVIDES SERVICES RELATED TO COMMUNITY SOLAR
17 FACILITIES;

18 (II) PERFORMS ANY ADMINISTRATIVE ACTION TO ALLOCATE
19 SUBSCRIPTIONS FOR A COMMUNITY SOLAR FACILITY, CONNECT A
20 SUBSCRIBER TO A COMMUNITY SOLAR FACILITY, OR ENROLL A CUSTOMER
21 IN A COMMUNITY SOLAR FACILITY; AND

22 (III) MANAGES INTERACTIONS BETWEEN A SUBSCRIBER
23 ORGANIZATION AND AN INVESTOR-OWNED ELECTRIC UTILITY.

24 (2) **Community solar facility and subscription requirements**

25 - **rules.** (a) A COMMUNITY SOLAR FACILITY MUST:

26 (I) HAVE A NAMEPLATE CAPACITY RATING OF FIVE MEGAWATTS OR
27 LESS, AS MEASURED IN ALTERNATING CURRENT;

1 (II) INTERCONNECT TO THE ELECTRIC DISTRIBUTION SYSTEM OF AN
2 INVESTOR-OWNED ELECTRIC UTILITY;

3 (III) COMPLY WITH ALL APPLICABLE REQUIREMENTS OF THE
4 "COLORADO ENERGY SECTOR PUBLIC WORKS PROJECT CRAFT LABOR
5 REQUIREMENTS ACT", PART 3 OF ARTICLE 92 OF TITLE 24, IF THE
6 COMMUNITY SOLAR FACILITY QUALIFIES AS AN "ENERGY SECTOR PUBLIC
7 WORKS PROJECT" AS DEFINED IN SECTION 24-92-303 (5);

8 (IV) RESERVE AT LEAST FIFTY-ONE PERCENT OF THE COMMUNITY
9 SOLAR FACILITY CAPACITY FOR SUBSCRIBERS WHO ARE INCOME-QUALIFIED
10 UTILITY CUSTOMERS; AND

11 (V) NOT ALLOCATE TO A SINGLE SUBSCRIBER MORE THAN FORTY
12 PERCENT OF THE GENERATING CAPACITY OF THE FACILITY.

13 (b) A SUBSCRIPTION TO A COMMUNITY SOLAR FACILITY MUST:

14 (I) SUPPLY NO MORE THAN ONE HUNDRED AND TWENTY PERCENT
15 OF THE SUBSCRIBER'S REASONABLY EXPECTED AVERAGE ANNUAL TOTAL
16 CONSUMPTION OF ELECTRICITY; EXCEPT THAT NO MORE THAN TWO
17 HUNDRED PERCENT OF A SUBSCRIBER'S REASONABLY EXPECTED AVERAGE
18 ANNUAL TOTAL CONSUMPTION OF ELECTRICITY MAY BE SUPPLIED TO A
19 SUBSCRIBER WHO IS A DIRECT BILL, INCOME-QUALIFIED SUBSCRIBER; AND

20 (II) BE PORTABLE AND TRANSFERABLE WITHIN THE SERVICE
21 TERRITORY OF THE INVESTOR-OWNED ELECTRIC UTILITY IN WHICH THE
22 COMMUNITY SOLAR FACILITY IS INTERCONNECTED TO THE UTILITY'S
23 ELECTRIC GRID.

24 (c) COMMUNITY SOLAR FACILITIES THAT ARE OWNED BY THE SAME
25 SUBSCRIBER ORGANIZATION OR BY PERSONS AFFILIATED WITH THE
26 SUBSCRIBER ORGANIZATION MUST NOT EXCEED FIVE MEGAWATT CAPACITY
27 MEASURED IN ALTERNATING CURRENT ON A SINGLE PARCEL OF LAND IN AN

1 ANNUAL CAPACITY ALLOCATION CYCLE.

2 (d) A COMMUNITY SOLAR FACILITY THAT IS SITED ON A PREFERRED
3 LOCATION OR THAT UTILIZES AGRIVOLTAICS MAY HAVE AN AGGREGATE
4 CAPACITY OF UP TO TEN MEGAWATTS MEASURED IN ALTERNATING
5 CURRENT.

6 (3) **Inclusive community solar capacity - allocation -**
7 **interconnection application - rules.** (a) (I) ON OR AFTER JANUARY 1,
8 2026, BUT BEFORE FEBRUARY 1, 2026, AN INVESTOR-OWNED ELECTRIC
9 UTILITY WITH MORE THAN FIVE HUNDRED THOUSAND CUSTOMERS SHALL
10 MAKE AVAILABLE AN ANNUAL CAPACITY ALLOCATION OF AT LEAST FIFTY
11 MEGAWATTS OF INCLUSIVE COMMUNITY SOLAR CAPACITY, AND MAKE
12 AVAILABLE ANY UNCLAIMED COMMUNITY SOLAR CAPACITY AS
13 DETERMINED IN THE UTILITY'S MOST RECENT COMMISSION-APPROVED
14 RENEWABLE ENERGY PLAN, IN ACCORDANCE WITH THIS SECTION.

15 (II) ON OR BEFORE FEBRUARY 1, 2027, AN INVESTOR-OWNED
16 ELECTRIC UTILITY WITH MORE THAN FIVE HUNDRED THOUSAND
17 CUSTOMERS SHALL MAKE AVAILABLE AN ANNUAL CAPACITY ALLOCATION
18 OF AT LEAST FIFTY MEGAWATTS OF INCLUSIVE COMMUNITY SOLAR
19 CAPACITY, AND MAKE AVAILABLE ANY UNCLAIMED INCLUSIVE
20 COMMUNITY SOLAR CAPACITY FROM THE PREVIOUS ALLOCATION CYCLE,
21 IN ACCORDANCE WITH THIS SECTION.

22 (b) (I) ON OR AFTER JANUARY 1, 2026, BUT BEFORE FEBRUARY 1,
23 2026, AN INVESTOR-OWNED ELECTRIC UTILITY WITH FIVE HUNDRED
24 THOUSAND OR FEWER CUSTOMERS SHALL MAKE AVAILABLE AN ANNUAL
25 CAPACITY ALLOCATION OF FOUR MEGAWATTS OF INCLUSIVE COMMUNITY
26 SOLAR CAPACITY IN ACCORDANCE WITH THIS SECTION.

27 (II) ON OR BEFORE FEBRUARY 1, 2027, AN INVESTOR-OWNED

1 ELECTRIC UTILITY WITH FIVE HUNDRED THOUSAND OR FEWER CUSTOMERS
2 SHALL MAKE AVAILABLE AN ANNUAL CAPACITY ALLOCATION OF FOUR
3 MEGAWATTS OF INCLUSIVE COMMUNITY SOLAR CAPACITY AVAILABLE IN
4 ACCORDANCE WITH THIS SECTION.

5 (c) ON OR BEFORE FEBRUARY 1, 2028, AND PERIODICALLY
6 THEREAFTER, THE COMMISSION SHALL DETERMINE, BY RULE OR BY ORDER,
7 THE AMOUNT OF INCLUSIVE COMMUNITY SOLAR CAPACITY THAT
8 INVESTOR-OWNED ELECTRIC UTILITIES ARE REQUIRED TO MAKE AVAILABLE
9 AND MAY ADJUST ANY REQUIREMENTS RELATED TO INCLUSIVE
10 COMMUNITY SOLAR SPECIFIED IN THIS SECTION.

11 (d) (I) ALL INCLUSIVE COMMUNITY SOLAR CAPACITY MADE
12 AVAILABLE PURSUANT TO THIS SECTION MUST BE ALLOCATED TO A
13 SUBSCRIBER ORGANIZATION THAT DEMONSTRATES SITE CONTROL, HAS
14 RECEIVED ALL APPLICABLE NONMINISTERIAL PERMITS, AND HAS AN
15 EXECUTED INTERCONNECTION AGREEMENT WITH THE RELEVANT UTILITY.

16 (II) EXCEPT AS PROVIDED IN SUBSECTION (8)(b)(II) OF THIS
17 SECTION, INCLUSIVE COMMUNITY SOLAR CAPACITY MUST BE ALLOCATED
18 ON A FIRST-COME, FIRST-SERVED BASIS BASED ON THE DAY THE
19 APPLICATION IS RECEIVED.

20 (e) IN ORDER TO FACILITATE EQUITABLE ACCESS TO CLEAN
21 ENERGY, AN INVESTOR-OWNED ELECTRIC UTILITY SHALL ALLOW ALL
22 INTERCONNECTION APPLICANTS FOR RETAIL DISTRIBUTED GENERATION
23 PROJECTS AS DESCRIBED IN SECTION 40-2-124, INCLUDING COMMUNITY
24 SOLAR FACILITIES, TO BEGIN THE INTERCONNECTION PROCESS NO LATER
25 THAN SIXTY DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION.

26 (4) **Community solar bill credits, unsubscribed electricity, and**
27 **renewable energy credits - rules.** (a) BEGINNING JANUARY 1, 2026, AN

1 INVESTOR-OWNED ELECTRIC UTILITY SHALL:

2 (I) ACQUIRE THE ENTIRE ELECTRICAL OUTPUT OF A COMMUNITY
3 SOLAR FACILITY THAT IS CONNECTED TO THE UTILITY'S DISTRIBUTION
4 SYSTEM;

5 (II) APPLY COMMUNITY SOLAR BILL CREDITS TO SUBSCRIBERS'
6 MONTHLY BILLS AS SOON AS PRACTICABLE BUT NO LATER THAN SIXTY
7 DAYS AFTER THE MONTH DURING WHICH THE COMMUNITY SOLAR FACILITY
8 GENERATED THE ELECTRICITY;

9 (III) PROVIDE COMMUNITY SOLAR BILL CREDITS TO A COMMUNITY
10 SOLAR FACILITY'S SUBSCRIBERS FOR A TERM OF TWENTY YEARS AFTER THE
11 DATE THE FACILITY BEGINS GENERATING BILL CREDITS OR UNTIL THE
12 COMMUNITY SOLAR FACILITY IS DECOMMISSIONED OR THE SUBSCRIBER
13 ORGANIZATION CEASES OPERATIONS OF A COMMUNITY SOLAR FACILITY,
14 WHICHEVER OCCURS FIRST;

15 (IV) CARRY OVER ANY AMOUNT OF A COMMUNITY SOLAR BILL
16 CREDIT THAT EXCEEDS THE SUBSCRIBER'S MONTHLY BILL AND APPLY IT TO
17 THE SUBSCRIBER'S NEXT MONTHLY BILL UNTIL THE SUBSCRIBER CANCELS
18 SERVICE WITH THE UTILITY, AT WHICH POINT THE UTILITY SHALL DONATE
19 ANY REMAINING COMMUNITY SOLAR BILL CREDITS TO A THIRD-PARTY
20 ADMINISTRATOR THAT IS QUALIFIED AND APPROVED BY THE UTILITY FOR
21 THE PURPOSE OF PROVIDING ENERGY ASSISTANCE AND BILL REDUCTIONS
22 TO INCOME-QUALIFIED UTILITY CUSTOMERS WITHIN THE UTILITY'S SERVICE
23 TERRITORY;

24 (V) ON A MONTHLY BASIS, PROVIDE TO A SUBSCRIBER
25 ORGANIZATION OR SUBSCRIPTION COORDINATOR A REPORT INDICATING
26 THE TOTAL VALUE OF COMMUNITY SOLAR BILL CREDITS GENERATED BY
27 THE COMMUNITY SOLAR FACILITY IN THE PRIOR MONTH AND THE AMOUNT

1 OF THE COMMUNITY SOLAR BILL CREDITS APPLIED TO EACH SUBSCRIBER;
2 AND

3 (VI) PROVIDE, IF AN INVESTOR-OWNED ELECTRIC UTILITY HAS
4 MORE THAN FIVE HUNDRED THOUSAND CUSTOMERS, AT THE REQUEST OF
5 A SUBSCRIBER ORGANIZATION OR SUBSCRIPTION COORDINATOR,
6 CONSOLIDATED BILLING BY:

7 (A) INCLUDING THE SUBSCRIBER ORGANIZATION'S OR
8 SUBSCRIPTION COORDINATOR'S MONTHLY SUBSCRIPTION CHARGE ON THE
9 CUSTOMER'S MONTHLY BILL FOR ELECTRIC SERVICE AND SUPPLY FROM THE
10 UTILITY; AND

11 (B) REMITTING THE CUSTOMER'S PAYMENT OF THE SUBSCRIBER
12 ORGANIZATION'S OR SUBSCRIPTION COORDINATOR'S MONTHLY
13 SUBSCRIPTION CHARGE TO THE SUBSCRIBER ORGANIZATION OR
14 SUBSCRIPTION COORDINATOR.

15 (b) A SUBSCRIBER ORGANIZATION SHALL, ON A MONTHLY BASIS
16 AND IN AN ELECTRONIC FORMAT, PROVIDE THE INVESTOR-OWNED
17 ELECTRIC UTILITY A SUBSCRIBER LIST INDICATING THE KILOWATTS OF A
18 COMMUNITY SOLAR FACILITY'S NAMEPLATE CAPACITY ATTRIBUTABLE TO
19 EACH SUBSCRIBER. A SUBSCRIBER ORGANIZATION SHALL UPDATE
20 SUBSCRIBER LISTS MONTHLY TO REFLECT ANY NEW SUBSCRIBERS,
21 SUBSCRIBERS THAT HAVE CANCELED THEIR SUBSCRIPTION, OR
22 SUBSCRIBERS THAT HAVE ADJUSTED SUBSCRIPTION CAPACITY.

23 (c) (I) AN INVESTOR-OWNED ELECTRIC UTILITY'S PURCHASE OF THE
24 OUTPUT OF A COMMUNITY SOLAR FACILITY MUST TAKE THE FORM OF A
25 COMMUNITY SOLAR BILL CREDIT ON THE SUBSCRIBER'S MONTHLY BILL.

26 (II) AN INVESTOR-OWNED ELECTRIC UTILITY SHALL CALCULATE
27 THE COMMUNITY SOLAR BILL CREDIT ON A SUBSCRIBER'S MONTHLY BILL

1 PURSUANT TO THE METHODOLOGY ESTABLISHED FOR COMMUNITY SOLAR
2 GARDENS IN SECTION 40-2-127 (5)(b)(II)(A) TO (5)(b)(II)(H).

3 (d) IF A COMMUNITY SOLAR FACILITY IS NOT FULLY SUBSCRIBED IN
4 A GIVEN MONTH, THE UNSUBSCRIBED ELECTRICITY GENERATED BY THE
5 FACILITY MAY BE ROLLED FORWARD ON THE COMMUNITY SOLAR FACILITY
6 ACCOUNT FOR UP TO ONE YEAR AFTER THE MONTH OF GENERATION AND
7 ALLOCATED BY THE SUBSCRIBER ORGANIZATION OR SUBSCRIPTION
8 COORDINATOR TO SUBSCRIBERS AT ANY TIME DURING THAT YEAR. AT THE
9 END OF THE ONE-YEAR PERIOD IN WHICH THE UNSUBSCRIBED ELECTRICITY
10 WAS ROLLED FORWARD, ANY UNDISTRIBUTED COMMUNITY SOLAR BILL
11 CREDITS ARE REMOVED, AND THE INVESTOR-OWNED ELECTRIC UTILITY
12 WITH WHICH THE COMMUNITY SOLAR FACILITY IS INTERCONNECTED SHALL
13 PURCHASE THE UNSUBSCRIBED ENERGY AT THE UTILITY'S AVERAGE
14 HOURLY INCREMENTAL COST OF ELECTRICITY SUPPLY OVER THE
15 IMMEDIATELY PRECEDING CALENDAR YEAR.

16 (e) A SUBSCRIBER ORGANIZATION, SUBSCRIPTION COORDINATOR,
17 OR SUBSCRIBER MAY ELECT TO DONATE BANKED COMMUNITY SOLAR BILL
18 CREDITS TO A THIRD-PARTY ADMINISTRATOR THAT IS QUALIFIED AND
19 APPROVED BY THE UTILITY FOR THE PURPOSE OF PROVIDING ENERGY
20 ASSISTANCE AND BILL REDUCTIONS TO INCOME-QUALIFIED UTILITY
21 CUSTOMERS WITHIN THE UTILITY'S SERVICE TERRITORY.

22 (f) THE SUBSCRIBER ORGANIZATION SHALL RETIRE ANY
23 RENEWABLE ENERGY CREDITS FOR ELECTRICITY GENERATED BY A
24 COMMUNITY SOLAR FACILITY ON BEHALF OF THE SUBSCRIBER IN THE YEAR
25 THE ELECTRICITY IS GENERATED. THE SUBSCRIBER ORGANIZATION SHALL
26 TRANSFER ANY RENEWABLE ENERGY CREDITS FOR UNSUBSCRIBED ENERGY
27 TO THE UTILITY, WHICH SHALL RETIRE THE CREDITS IN THE YEAR THE

1 RENEWABLE ENERGY CREDITS ARE GENERATED.

2 (5) **Subscriber enrollment, verification, and protections.**

3 (a) SUBSCRIBER ORGANIZATIONS, SUBSCRIPTION COORDINATORS, AND
4 REPRESENTATIVES OF SUCH PERSONS ARE PROHIBITED FROM:

5 (I) USING CREDIT SCORES, UTILITY CUSTOMER SCORES, OR ANY
6 UTILITY DEPOSIT REQUIREMENTS TO APPROVE OR DENY A PROSPECTIVE
7 RESIDENTIAL SUBSCRIBER'S PARTICIPATION IN A COMMUNITY SOLAR
8 FACILITY;

9 (II) CHARGING A SIGN-UP FEE OR TERMINATION FEE TO A
10 RESIDENTIAL SUBSCRIBER;

11 (III) ENGAGING IN MISLEADING OR DECEPTIVE CONDUCT; AND

12 (IV) MAKING FALSE OR MISLEADING REPRESENTATIONS.

13 (b) (I) A SUBSCRIBER ORGANIZATION SHALL PROVIDE AN
14 INCOME-QUALIFIED UTILITY CUSTOMER WHO IS A SUBSCRIBER A DISCOUNT
15 OF AT LEAST TWENTY-FIVE PERCENT OF THE VALUE OF THE SUBSCRIBER'S
16 COMMUNITY SOLAR BILL CREDIT BY LIMITING THE SUBSCRIBER'S
17 SUBSCRIPTION CHARGE TO NO MORE THAN SEVENTY-FIVE PERCENT OF THE
18 VALUE OF THE SUBSCRIBER'S COMMUNITY SOLAR BILL CREDIT.

19 (II) FOR A COMMUNITY SOLAR FACILITY THAT RECEIVES FEDERAL
20 TAX INCENTIVES CREATED BY THE FEDERAL "INFLATION REDUCTION ACT
21 OF 2022", PUB.L. 117-169, FOR THE SPECIFIC PURPOSE OF BEING LOCATED
22 IN AN ENERGY COMMUNITY, THE SUBSCRIBER ORGANIZATION SHALL
23 PROVIDE AN INCOME-QUALIFIED UTILITY CUSTOMER WHO IS A SUBSCRIBER
24 A DISCOUNT OF AT LEAST THIRTY PERCENT OF THE VALUE OF THE
25 SUBSCRIBER'S COMMUNITY SOLAR BILL CREDIT BY LIMITING THE
26 SUBSCRIBER'S SUBSCRIPTION CHARGE TO NO MORE THAN SEVENTY
27 PERCENT OF THE VALUE OF THE SUBSCRIBER'S COMMUNITY SOLAR BILL

1 CREDIT.

2 (III) FOR A COMMUNITY SOLAR FACILITY THAT RECEIVES FEDERAL
3 TAX INCENTIVES CREATED BY THE FEDERAL "INFLATION REDUCTION ACT
4 OF 2022", PUB.L. 117-169, TO PROVIDE UTILITY BILL SAVINGS TO
5 INCOME-QUALIFIED HOUSEHOLDS PURSUANT TO FEDERAL ELIGIBILITY
6 REQUIREMENTS, THE SUBSCRIBER ORGANIZATION SHALL PROVIDE AN
7 INCOME-QUALIFIED UTILITY CUSTOMER WHO IS A SUBSCRIBER A DISCOUNT
8 OF AT LEAST FIFTY PERCENT OF THE VALUE OF THE SUBSCRIBER'S
9 COMMUNITY SOLAR BILL CREDIT BY LIMITING THE SUBSCRIBER'S
10 SUBSCRIPTION CHARGE TO NO MORE THAN FIFTY PERCENT OF THE VALUE
11 OF THE SUBSCRIBER'S COMMUNITY SOLAR BILL CREDIT.

12 (IV) FOR A COMMUNITY SOLAR FACILITY THAT RECEIVES BOTH OF
13 THE FEDERAL TAX INCENTIVES DESCRIBED IN SUBSECTIONS (5)(b)(II) AND
14 (5)(b)(III) OF THIS SECTION, THE SUBSCRIBER ORGANIZATION SHALL
15 PROVIDE AN INCOME-QUALIFIED UTILITY CUSTOMER WHO IS A SUBSCRIBER
16 A DISCOUNT OF AT LEAST FIFTY-FIVE PERCENT OF THE VALUE OF THE
17 SUBSCRIBER'S COMMUNITY SOLAR BILL CREDIT BY LIMITING THE
18 SUBSCRIBER'S SUBSCRIPTION CHARGE TO NO MORE THAN FORTY-FIVE
19 PERCENT OF THE VALUE OF THE SUBSCRIBER'S COMMUNITY SOLAR BILL
20 CREDIT.

21 (V) TO ENSURE THAT THE GUARANTEED DISCOUNTS DESCRIBED IN
22 SUBSECTIONS (5)(b)(I), (5)(b)(II), (5)(b)(III), AND (5)(b)(IV) OF THIS
23 SECTION ARE PROVIDED TO INCOME-QUALIFIED UTILITY CUSTOMERS, A
24 SUBSCRIBER ORGANIZATION OR SUBSCRIPTION COORDINATOR SHALL
25 PROVIDE, AT THE REQUEST OF THE COMMISSION, DETAILS REGARDING
26 DISCOUNTS GRANTED TO INCOME-QUALIFIED UTILITY CUSTOMERS IN A
27 FORM THAT IS SPECIFIED BY THE COMMISSION.

1 (VI) IN THE EVENT THAT THERE IS UNCLAIMED INCLUSIVE
2 COMMUNITY SOLAR CAPACITY, STAKEHOLDERS MAY PETITION THE
3 COMMISSION TO, OR THE COMMISSION MAY AT ITS DISCRETION, CONSIDER
4 ALTERING THE GUARANTEED DISCOUNTS DESCRIBED IN SUBSECTIONS
5 (5)(b)(I), (5)(b)(II), (5)(b)(III), AND (5)(b)(IV) OF THIS SECTION FOR
6 INCOME-QUALIFIED UTILITY CUSTOMERS.

7 (c) A SUBSCRIBER ORGANIZATION OR SUBSCRIPTION COORDINATOR
8 SHALL USE ONE OF THE FOLLOWING METHODS TO VERIFY THE INCOME OF
9 A PROSPECTIVE SUBSCRIBER, OR A MEMBER OF THE HOUSEHOLD FOR
10 WHICH THE SUBSCRIPTION IS ATTRIBUTED, FOR ELIGIBILITY AS AN
11 INCOME-QUALIFIED UTILITY CUSTOMER:

12 (I) SELF-ATTESTATION;

13 (II) PROOF OF RESIDENCE IN AN AFFORDABLE HOUSING
14 COMMUNITY; OR

15 (III) EVIDENCE OF ELIGIBILITY FOR OR ENROLLMENT IN AT LEAST
16 ONE OF THE FOLLOWING PROGRAMS:

17 (A) THE WEATHERIZATION ASSISTANCE PROGRAM IN THE
18 COLORADO ENERGY OFFICE, AS DESCRIBED IN SECTION 24-38.5-102 (1)(g);

19 (B) THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM IN THE
20 DEPARTMENT OF HUMAN SERVICES, ESTABLISHED IN PART 3 OF ARTICLE 2
21 OF TITLE 26;

22 (C) MEDICAID, AS DEFINED IN SECTION 10-16-1203 (8);

23 (D) THE HEAD START PROGRAM IN THE DEPARTMENT OF EARLY
24 CHILDHOOD, AS DEFINED IN SECTION 26.5-4-103 (6);

25 (E) FREE AND REDUCED-PRICE SCHOOL MEALS PURSUANT TO THE
26 FEDERAL "RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH ACT", 42
27 U.S.C. SEC. 1751 ET SEQ., OR A SIMILAR FREE OR REDUCED-PRICE SCHOOL

1 MEALS PROGRAM;

2 (F) THE FEDERAL LOW-INCOME HOME ENERGY ASSISTANCE
3 PROGRAM ADMINISTERED BY THE UNITED STATES DEPARTMENT OF
4 HEALTH AND HUMAN SERVICES' ADMINISTRATION FOR CHILDREN AND
5 FAMILIES PURSUANT TO 42 U.S.C. SEC. 8621 ET SEQ., AS AMENDED; OR

6 (G) ANY OTHER GOVERNMENTAL OR LOCAL ASSISTANCE PROGRAM
7 THAT THE COMMISSION DETERMINES QUALIFIES A PROSPECTIVE
8 SUBSCRIBER FOR ELIGIBILITY AS AN INCOME-QUALIFIED UTILITY
9 CUSTOMER.

10 (d) (I) THE COMMISSION SHALL ADOPT A UNIFORM DISCLOSURE
11 FORM THAT IDENTIFIES THE INFORMATION THAT A SUBSCRIBER
12 ORGANIZATION OR SUBSCRIPTION COORDINATOR SHALL PROVIDE TO A
13 POTENTIAL SUBSCRIBER. THE DISCLOSURE FORM MUST:

14 (A) DISCLOSE FUTURE COSTS AND BENEFITS OF SUBSCRIPTIONS;

15 (B) DISCLOSE KEY CONTRACT TERMS;

16 (C) PROVIDE GRIEVANCE, ENFORCEMENT, AND CANCELLATION
17 PROCEDURES;

18 (D) PROVIDE OTHER RELEVANT INFORMATION PERTAINING TO THE
19 SUBSCRIPTIONS; AND

20 (E) BE OFFERED IN BOTH ENGLISH AND SPANISH LANGUAGES AND,
21 WHEN APPROPRIATE, NATIVE AMERICAN OR INDIGENOUS LANGUAGES.

22 (II) THE COMMISSION MAY:

23 (A) AMEND THE UNIFORM DISCLOSURE FORM OR CONSOLIDATE THE
24 FORM WITH OTHER EXISTING FORMS THAT ARE PROVIDED TO A POTENTIAL
25 SUBSCRIBER OR APPLICABLE CUSTOMER TYPE, AS APPROPRIATE; AND

26 (B) REQUEST INFORMATION FROM AN INVESTOR-OWNED ELECTRIC
27 UTILITY REGARDING THE QUANTITY, LOCATION, INCOME-QUALIFIED

1 STATUS, AND BILL SAVINGS OF SUBSCRIBERS WITHIN THE UTILITY'S
2 SERVICE TERRITORY.

3 (e) SUBSCRIBER ORGANIZATIONS ARE ENCOURAGED TO CONDUCT
4 TARGETED OUTREACH TO TRIBAL CUSTOMERS BY PARTNERING WITH
5 COLORADO-BASED NONPROFIT ORGANIZATIONS THAT HAVE A PRIMARY
6 MISSION OF IMPROVING THE SOCIOECONOMIC CONDITIONS OF AND
7 PROVIDING ENERGY ASSISTANCE FOR TRIBAL CUSTOMERS WHO ARE NOT
8 LOCATED ON A RESERVATION.

9 (6) **Cost recovery.** AN INVESTOR-OWNED ELECTRIC UTILITY MAY
10 SEEK RECOVERY OF ENERGY PURCHASES FROM A COMMUNITY SOLAR
11 FACILITY DEVELOPED AND OPERATED PURSUANT TO THIS SECTION IN A
12 MANNER APPROVED BY THE COMMISSION BY RULE OR OTHER APPROPRIATE
13 MECHANISM.

14 (7) **Interconnection - reports.** (a) AN INVESTOR-OWNED
15 ELECTRIC UTILITY SHALL SHARE ALL RESULTS FROM ANY
16 INTERCONNECTION STUDY CONDUCTED PURSUANT TO COMMISSION RULES
17 WITH THE INTERCONNECTION APPLICANT PURSUANT TO UTILITY
18 CONFIDENTIALITY REQUIREMENTS.

19 (b) THE COMMISSION SHALL DIRECT INVESTOR-OWNED ELECTRIC
20 UTILITIES WITH MORE THAN FIVE HUNDRED THOUSAND CUSTOMERS TO
21 DEVELOP PRO RATA INTERCONNECTION COST-SHARING MECHANISMS FOR
22 SYSTEM UPGRADES WHEREBY A COMMUNITY SOLAR FACILITY ONLY PAYS
23 THE FACILITY'S PROPORTIONAL SHARE OF NEWLY CREATED HOSTING
24 CAPACITY ASSOCIATED WITH THE FACILITY.

25 (c) WHEN AN INVESTOR-OWNED ELECTRIC UTILITY WITH MORE
26 THAN FIVE HUNDRED THOUSAND CUSTOMERS FILES A DISTRIBUTION
27 SYSTEM PLAN WITH THE COMMISSION PURSUANT TO SECTION 40-2-132,

1 THE INVESTOR-OWNED ELECTRIC UTILITY SHALL:

2 (I) PROVIDE INFORMATION WHEN INTERCONNECTION COSTS FOR A
3 COMMUNITY SOLAR FACILITY EXCEED TWENTY CENTS PER WATT,
4 MEASURED IN ALTERNATING CURRENT, AND PROPOSE TO THE COMMISSION
5 POTENTIAL SOLUTIONS TO FACILITATE FUTURE INTERCONNECTIONS IN
6 THAT SAME GEOGRAPHIC AREA THAT MAY INCLUDE:

7 (A) COST-SHARING MECHANISMS AMONG SUBSCRIBER
8 ORGANIZATIONS OR BETWEEN AN INTERCONNECTION APPLICANT AND THE
9 UTILITY;

10 (B) DISTRIBUTION GRID UPGRADES, SUCH AS DISTRIBUTED ENERGY
11 STORAGE, WHICH MAY BE FUNDED BY THE UTILITY, INTERCONNECTION
12 APPLICANT, OR SOME COMBINATION OF THE UTILITY AND
13 INTERCONNECTION APPLICANT; OR

14 (C) FLEXIBLE INTERCONNECTION PRACTICES; AND

15 (II) INCLUDE THE FOLLOWING INFORMATION IN A REPORT TO THE
16 COMMISSION AS PART OF THE DISTRIBUTION SYSTEM PLAN, WHICH IS FILED
17 WITH THE COMMISSION PURSUANT TO SECTION 40-2-132:

18 (A) THE AMOUNT OF INCLUSIVE COMMUNITY SOLAR CAPACITY
19 AWARDED PURSUANT TO THIS SECTION;

20 (B) THE AMOUNT OF OPERATIONAL COMMUNITY SOLAR CAPACITY
21 DEVELOPED PURSUANT TO THIS SECTION AND SECTION 40-2-127; AND

22 (C) A NARRATIVE DETAILING THE UTILITY'S PROGRESS TOWARD
23 FACILITATING COST-EFFECTIVE INTERCONNECTION OF COMMUNITY SOLAR
24 FACILITIES WITH THE UTILITY'S DISTRIBUTION SYSTEM.

25 (d) THE COMMISSION MAY APPROVE, CONDITIONALLY APPROVE,
26 MODIFY, OR REJECT ANY PROPOSED INTERCONNECTION SOLUTION OFFERED
27 BY AN INVESTOR-OWNED ELECTRIC UTILITY PURSUANT TO THIS

1 SUBSECTION (7).

2 (8) **Program administration.** (a) THE COMMISSION SHALL:

3 (I) ADOPT AND ENFORCE ALL RULES REQUIRED UNDER THIS
4 SECTION;

5 (II) REQUIRE INVESTOR-OWNED ELECTRIC UTILITIES TO FILE THE
6 TARIFFS, THE AGREEMENTS, OR OTHER FORMS NECESSARY FOR THE
7 IMPLEMENTATION OF THIS SECTION;

8 (III) ESTABLISH A DEADLINE BY WHICH AN INVESTOR-OWNED
9 ELECTRIC UTILITY WITH MORE THAN FIVE HUNDRED THOUSAND
10 CUSTOMERS SHALL IMPLEMENT A CONSOLIDATED BILLING PROGRAM AND
11 DIRECT THE UTILITY TO TRACK ALL COSTS ASSOCIATED WITH
12 IMPLEMENTING AND OPERATING THE CONSOLIDATED BILLING PROGRAM SO
13 THAT THE COMMISSION MAY ESTABLISH A FEE TO BE PAID TO THE
14 INVESTOR-OWNED ELECTRIC UTILITY BY SUBSCRIBER ORGANIZATIONS
15 THAT ELECT TO UTILIZE A CONSOLIDATED BILLING PROGRAM IN ORDER TO
16 OFFSET THE COSTS OF IMPLEMENTING AND OPERATING THE CONSOLIDATED
17 BILLING PROGRAM;

18 (IV) COORDINATE WITH THE COLORADO ENERGY OFFICE CREATED
19 IN SECTION 24-38.5-101 (1) TO ENSURE ALIGNMENT WITH ANY FEDERAL
20 GRANT FUNDING RECEIVED BY THE STATE FOR THE PURPOSE OF
21 SUPPORTING LOW-INCOME COMMUNITY SOLAR PROJECTS;

22 (V) CONSULT WITH THE COLORADO ELECTRIC TRANSMISSION
23 AUTHORITY, CREATED IN ARTICLE 42 OF TITLE 40, AS APPROPRIATE, TO
24 PLAN FOR AND OPTIMIZE THE USE OF COMMUNITY SOLAR FACILITIES
25 ESTABLISHED PURSUANT TO THIS SECTION;

26 (VI) CLARIFY THAT SUBSCRIBER ORGANIZATIONS, SUBSCRIPTION
27 COORDINATORS, OR SUBSCRIBERS ARE NOT CONSIDERED PUBLIC UTILITIES

1 SUBJECT TO REGULATION BY THE COMMISSION SOLELY AS A RESULT OF
2 THEIR PARTICIPATION IN INCLUSIVE COMMUNITY SOLAR;

3 (VII) CONSIDER THE INTEGRATION OF COMMUNITY SOLAR
4 SUBSCRIPTIONS FOR INCOME-QUALIFIED UTILITY CUSTOMERS WITH OTHER
5 PROGRAMS DESIGNED TO REDUCE CUSTOMER UTILITY BILLS AND DELIVER
6 ENERGY-RELATED SERVICES, INCLUDING PROGRAMS RELATED TO
7 DEMAND-SIDE MANAGEMENT, BENEFICIAL ELECTRIFICATION, AND
8 TRANSPORTATION ELECTRIFICATION; AND

9 (VIII) CONDUCT MULTILINGUAL AND CULTURALLY RELEVANT
10 OUTREACH TO ENGAGE, EDUCATE, AND SOLICIT INPUT FROM
11 REPRESENTATIVES FROM DISPROPORTIONATELY IMPACTED COMMUNITIES,
12 IN ACCORDANCE WITH SECTION 40-2-108, AND CONSIDER ADDITIONAL
13 STRATEGIES AS NECESSARY TO ENSURE ROBUST PARTICIPATION BY
14 MEMBERS OF DISPROPORTIONATELY IMPACTED COMMUNITIES IN INCLUSIVE
15 COMMUNITY SOLAR. INDIVIDUALS WHO PARTICIPATE IN THE OUTREACH
16 CONDUCTED BY THE COMMISSION SHALL BE COMPENSATED FOR THEIR
17 PARTICIPATION AT A LEVEL DETERMINED APPROPRIATE BY THE
18 COMMISSION.

19 (b) ON OR BEFORE NOVEMBER 1, 2025, THE COMMISSION SHALL
20 PROMULGATE RULES OR ORDERS NECESSARY TO:

21 (I) ENABLE THE ALLOCATION OF INCLUSIVE COMMUNITY SOLAR
22 CAPACITY PURSUANT TO THIS SECTION; AND

23 (II) ESTABLISH A PROCESS TO PRIORITIZE COMMUNITY SOLAR
24 FACILITIES LOCATED ON PREFERRED LOCATIONS OVER COMMUNITY SOLAR
25 FACILITIES NOT LOCATED ON PREFERRED LOCATIONS, WHICH PROCESS
26 MUST ONLY BE USED TO PRIORITIZE BETWEEN FACILITIES APPLYING FOR
27 INCLUSIVE COMMUNITY SOLAR CAPACITY ON THE DAY THAT QUALIFIED

1 COMMUNITY SOLAR FACILITY APPLICATIONS EXCEED THE REMAINING
2 AVAILABLE CAPACITY IN AN ANNUAL CAPACITY ALLOCATION CYCLE;
3 HOWEVER, THE COMMISSION SHALL NOT CREATE A WAITING LIST THAT
4 CARRIES OVER INTO THE NEXT YEAR.

5 (c) ON OR BEFORE JANUARY 1, 2029, THE COMMISSION SHALL
6 REPORT TO THE HOUSE OF REPRESENTATIVES ENERGY AND ENVIRONMENT
7 COMMITTEE AND THE SENATE TRANSPORTATION AND ENERGY COMMITTEE,
8 OR THEIR SUCCESSOR COMMITTEES, ON THE COMMUNITY SOLAR FACILITIES
9 DEVELOPED PURSUANT TO THIS SECTION. THE REPORT MUST INCLUDE:

10 (I) THE PERCENTAGE OF AWARDED INCLUSIVE COMMUNITY SOLAR
11 CAPACITY THAT WAS SUCCESSFULLY INTERCONNECTED TO
12 INVESTOR-OWNED ELECTRIC UTILITY DISTRIBUTION SYSTEMS;

13 (II) THE TOTAL NUMBER OF INCOME-QUALIFIED UTILITY
14 CUSTOMERS WHO ARE SUBSCRIBERS SERVED BY A COMMUNITY SOLAR
15 FACILITY AND ANY IMPACTS THAT THE SUBSCRIPTIONS HAVE ON THE
16 AVERAGE ANNUAL BILL COST OF THOSE INCOME-QUALIFIED UTILITY
17 CUSTOMERS;

18 (III) THE TOTAL NUMBER OF INCOME-QUALIFIED UTILITY
19 CUSTOMERS WHO PARTICIPATED IN INCLUSIVE COMMUNITY SOLAR IN
20 CONJUNCTION WITH OTHER PROGRAMS DESIGNED TO REDUCE CUSTOMER
21 UTILITY BILLS, SUPPORT BENEFICIAL ELECTRIFICATION, AND ADVANCE
22 ENERGY EFFICIENCY; AND

23 (IV) ANY OTHER INFORMATION RELATED TO COMMUNITY SOLAR
24 FACILITIES DEVELOPED PURSUANT TO THIS SECTION THAT THE COMMISSION
25 DEEMS NECESSARY.

26 (d) (I) THE COMMISSION MAY PERIODICALLY CONDUCT
27 RULE-MAKING OR ISSUE ORDERS, IN ACCORDANCE WITH SUBSECTION (3)(c)

1 OF THIS SECTION, RELATED TO THE DEVELOPMENT OF INCLUSIVE
2 COMMUNITY SOLAR FACILITIES IN ACCORDANCE WITH SECTION.

3 (II) THE COMMISSION SHALL SOLICIT INPUT FROM SUBSCRIBERS,
4 SUBSCRIBER ORGANIZATIONS, SUBSCRIPTION COORDINATORS,
5 INVESTOR-OWNED ELECTRIC UTILITIES, AND OTHER STAKEHOLDERS
6 DURING ANY RULE-MAKING OR ORDERS THAT ARE RELATED TO INCLUSIVE
7 COMMUNITY SOLAR.

8 (9) **Applicability.** (a) THIS SECTION APPLIES TO INCLUSIVE
9 COMMUNITY SOLAR CAPACITY THAT IS ALLOCATED ON OR AFTER JANUARY
10 1, 2026.

11 (b) COMMUNITY SOLAR CAPACITY THAT IS ALLOCATED ON OR
12 BEFORE DECEMBER 31, 2025, IS ALLOCATED PURSUANT TO SECTION
13 40-2-127.

14 **SECTION 4.** In Colorado Revised Statutes, **add** 40-2-130.5 as
15 follows:

16 **40-2-130.5. Dispatchable distributed generation - energy**
17 **storage - definitions - program capacity - program administration -**
18 **rules. (1) Definitions.** AS USED IN THIS SECTION, UNLESS THE CONTEXT
19 OTHERWISE REQUIRES:

20 (a) "DISPATCHABLE DISTRIBUTED GENERATION" MEANS
21 DISTRIBUTED GENERATION PAIRED WITH A CO-LOCATED ENERGY STORAGE
22 SYSTEM THAT IS:

23 (I) DIRECTLY INTERCONNECTED TO AN INVESTOR-OWNED
24 ELECTRIC UTILITY'S DISTRIBUTION SYSTEM AND IS NOT BEHIND A
25 CUSTOMER METER; AND

26 (II) MEASURED BY THE CAPACITY OF THE DISTRIBUTED
27 GENERATION IN ALTERNATING CURRENT.

1 (b) "DISTRIBUTED GENERATION" MEANS A RENEWABLE ENERGY
2 RESOURCE AS DEFINED IN SECTION 40-2-124 (1)(a)(VII) THAT
3 INTERCONNECTS TO A UTILITY'S DISTRIBUTION SYSTEM.

4 (c) "ENERGY STORAGE SYSTEM" HAS THE SAME MEANING AS SET
5 FORTH IN SECTION 40-2-130 (2)(a).

6 (d) "INVESTOR-OWNED ELECTRIC UTILITY" OR "UTILITY" MEANS A
7 RETAIL ELECTRIC UTILITY IN THE STATE THAT IS NOT A COOPERATIVE
8 ELECTRIC ASSOCIATION OR A MUNICIPALLY OWNED ELECTRIC UTILITY.

9 (2) **Program capacity.** (a) ON OR BEFORE JUNE 1, 2026, AN
10 INVESTOR-OWNED ELECTRIC UTILITY WITH MORE THAN FIVE HUNDRED
11 THOUSAND CUSTOMERS SHALL ACQUIRE AT LEAST FIFTY MEGAWATTS OF
12 DISPATCHABLE DISTRIBUTED GENERATION.

13 (b) ON OR AFTER JANUARY 1, 2027, BUT BEFORE JUNE 1, 2027, AN
14 INVESTOR-OWNED ELECTRIC UTILITY WITH MORE THAN FIVE HUNDRED
15 THOUSAND CUSTOMERS SHALL ACQUIRE AT LEAST FIFTY MEGAWATTS OF
16 DISPATCHABLE DISTRIBUTED GENERATION.

17 (c) TO ENSURE THAT AN INVESTOR-OWNED ELECTRIC UTILITY WITH
18 MORE THAN FIVE HUNDRED THOUSAND CUSTOMERS ACQUIRES
19 DISPATCHABLE DISTRIBUTED GENERATION IN ACCORDANCE WITH
20 SUBSECTIONS (2)(a) AND (2)(b) OF THIS SECTION, THE COMMISSION SHALL:

21 (I) DETERMINE THE PROCEDURES FOR A UTILITY TO ACQUIRE
22 DISPATCHABLE DISTRIBUTED GENERATION;

23 (II) ESTABLISH A METHODOLOGY THAT ASCRIBES VALUE TO
24 DISPATCHABLE DISTRIBUTED GENERATION LOCATED IN SPECIFIC AREAS OF
25 THE ELECTRIC GRID IN ORDER TO DIRECT THE DEVELOPMENT OF
26 DISPATCHABLE DISTRIBUTED GENERATION RESOURCES IN OPTIMAL
27 LOCATIONS; AND

1 (III) ADOPT ANY OTHER PROGRAM- OR PROJECT-SPECIFIC
2 REQUIREMENTS THE COMMISSION DEEMS NECESSARY TO FACILITATE THE
3 ACQUISITION OF DISPATCHABLE DISTRIBUTED GENERATION, INCLUDING
4 ALL APPLICABLE REQUIREMENTS OF THE "COLORADO ENERGY SECTOR
5 PUBLIC WORKS PROJECT CRAFT LABOR REQUIREMENTS ACT", PART 3 OF
6 ARTICLE 92 OF TITLE 24, FOR DISPATCHABLE DISTRIBUTED GENERATION
7 PROJECTS THAT QUALIFY AS AN "ENERGY SECTOR PUBLIC WORKS PROJECT"
8 AS DEFINED IN SECTION 24-92-303 (5).

9 (d) ON OR BEFORE JUNE 1, 2028, AND PERIODICALLY THEREAFTER,
10 THE COMMISSION SHALL DETERMINE THE PROCEDURE AND CAPACITY
11 AMOUNTS FOR FUTURE ACQUISITIONS OF DISPATCHABLE DISTRIBUTED
12 GENERATION BY AN INVESTOR-OWNED ELECTRIC UTILITY.

13 (3) **Program administration.** THE COMMISSION SHALL:

14 (a) ADOPT AND ENFORCE ALL RULES REQUIRED UNDER THIS
15 SECTION;

16 (b) REQUIRE ALL APPLICABLE INVESTOR-OWNED ELECTRIC
17 UTILITIES TO FILE THE TARIFFS, THE AGREEMENTS, OR OTHER FORMS AND
18 DOCUMENTS NECESSARY FOR THE IMPLEMENTATION OF THIS SECTION; AND

19 (c) CONSULT WITH THE COLORADO ELECTRIC TRANSMISSION
20 AUTHORITY, CREATED IN SECTION 40-42-103, AS NECESSARY TO PLAN FOR
21 AND OPTIMIZE THE USE OF DISPATCHABLE DISTRIBUTED GENERATION THAT
22 IS ACQUIRED AND DEVELOPED IN ACCORDANCE WITH THIS SECTION.

23 **SECTION 5. Safety clause.** The general assembly finds,
24 determines, and declares that this act is necessary for the immediate
25 preservation of the public peace, health, or safety or for appropriations for
26 the support and maintenance of the departments of the state and state
27 institutions.