

CHAPTER 257

PUBLIC UTILITIES

SENATE BILL 15-254

BY SENATOR(S) Grantham, Baumgardner, Merrifield, Scott, Guzman, Heath, Kefalas, Todd;
also REPRESENTATIVE(S) Lee, Klingenschmitt, Landgraf, Lundeen, Mitsch Bush, Nordberg, Singer, Tate, Becker K., Conti,
Court, Fields, Hamner, Joshi, Lawrence, Lontine, Pettersen, Priola, Salazar, Vigil, Williams, Windholz, Winter, Young.

AN ACT

CONCERNING AN EXTENSION OF THE PERIOD DURING WHICH CERTAIN INCENTIVES ARE AVAILABLE FOR MUNICIPALLY OWNED UTILITIES TO OBTAIN ADDITIONAL RENEWABLE ENERGY CREDITS BASED ON THE INSTALLATION OF SOLAR ELECTRIC GENERATION TECHNOLOGIES.

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

SECTION 1. In Colorado Revised Statutes, 40-2-124, **amend** (1) (c) (VII) as follows:

40-2-124. Renewable energy standards - qualifying retail and wholesale utilities - definitions - net metering - legislative declaration. (1) Each provider of retail electric service in the state of Colorado, other than municipally owned utilities that serve forty thousand customers or fewer, is a qualifying retail utility. Each qualifying retail utility, with the exception of cooperative electric associations that have voted to exempt themselves from commission jurisdiction pursuant to section 40-9.5-104 and municipally owned utilities, is subject to the rules established under this article by the commission. No additional regulatory authority is provided to the commission other than that specifically contained in this section. In accordance with article 4 of title 24, C.R.S., the commission shall revise or clarify existing rules to establish the following:

(c) Electric resource standards:

(VII) (A) For purposes of compliance with the standards set forth in subparagraphs (V) and (V.5) of this paragraph (c), each kilowatt-hour of renewable electricity generated from solar electric generation technologies shall be counted as three kilowatt-hours.

(B) FOR EACH QUALIFYING RETAIL UTILITY THAT IS A COOPERATIVE ELECTRIC

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

ASSOCIATION, sub-subparagraph (A) of this subparagraph (VII) applies only to solar electric technologies that begin producing electricity prior to July 1, 2015, AND for solar electric technologies that begin producing electricity on or after July 1, 2015, each kilowatt-hour of renewable electricity shall be counted as one kilowatt-hour for purposes of compliance with the renewable energy standard.

(C) FOR EACH QUALIFYING RETAIL UTILITY THAT IS A MUNICIPALLY OWNED UTILITY, SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (VII) APPLIES ONLY TO SOLAR ELECTRIC TECHNOLOGIES THAT ARE UNDER CONTRACT FOR DEVELOPMENT PRIOR TO AUGUST 1, 2015, AND BEGIN PRODUCING ELECTRICITY PRIOR TO DECEMBER 31, 2016, AND FOR SOLAR ELECTRIC TECHNOLOGIES THAT ARE NOT UNDER CONTRACT FOR DEVELOPMENT PRIOR TO AUGUST 1, 2015, AND BEGIN PRODUCING ELECTRICITY ON OR AFTER DECEMBER 31, 2016, EACH KILOWATT-HOUR OF RENEWABLE ELECTRICITY SHALL BE COUNTED AS ONE KILOWATT-HOUR FOR PURPOSES OF COMPLIANCE WITH THE RENEWABLE ENERGY STANDARD.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 29, 2015