

SB19-236 be amended as follows:

1 Amend printed bill, page 13, after line 8 insert:

2       **"SECTION 12.** In Colorado Revised Statutes, **add** 40-3-116 as  
3 follows:

4       **40-3-116. Performance-based rate-making - investigation -**  
5 **report - repeal.** (1) THE COMMISSION SHALL CONDUCT AN  
6 INVESTIGATION OF FINANCIAL PERFORMANCE-BASED INCENTIVES AND  
7 PERFORMANCE-BASED METRIC TRACKING TO IDENTIFY MECHANISMS THAT  
8 MAY SERVE TO ALIGN REGULATED UTILITY OPERATIONS, EXPENDITURES,  
9 AND INVESTMENTS WITH PUBLIC BENEFIT GOALS INCLUDING SAFETY,  
10 RELIABILITY, COST EFFICIENCY, EMISSIONS REDUCTIONS, AND EXPANSION  
11 OF DISTRIBUTED ENERGY RESOURCES. THE INVESTIGATION, WHICH SHALL  
12 BE CONDUCTED IN AN INVESTIGATORY PROCEEDING, MUST CONSIST OF A  
13 REVIEW OF EXISTING AND POTENTIAL METRICS, INCLUDING FUTURE TEST  
14 YEARS, AND CONSIDERATION OF NEW PERFORMANCE-BASED INCENTIVES.

15       (2) (a) WITHIN EIGHTEEN MONTHS AFTER THE EFFECTIVE DATE OF  
16 THIS SECTION, THE COMMISSION SHALL REPORT ITS FINDINGS TO THE  
17 SENATE TRANSPORTATION AND ENERGY COMMITTEE AND THE HOUSE OF  
18 REPRESENTATIVES ENERGY AND ENVIRONMENT COMMITTEE, OR THEIR  
19 SUCCESSOR COMMITTEES. THE REPORT MUST INCLUDE THE FOLLOWING:

20       (I) A GENERAL DETERMINATION AS TO WHETHER A TRANSITION TO  
21 PERFORMANCE-BASED METRICS REGULATION OF A REGULATED UTILITY  
22 WOULD BE NET BENEFICIAL TO THE STATE, IN TERMS OF MEETING STATED  
23 OBJECTIVES OF THE COMMISSION AND OTHER RELATED STATUTORY  
24 REQUIREMENTS;

25       (II) ACTIONS THAT THE COMMISSION MAY PURSUE TO GUIDE THE  
26 CHANGE TO A PERFORMANCE-BASED METRICS REGULATION;

27       (III) DIRECTIVES TO BE GIVEN TO UTILITIES;

28       (IV) A LIST OF TYPES OF FUTURE LITIGATED PROCEEDINGS WITHIN  
29 WHICH THE REPORT COULD BE IMPLEMENTED; AND

30       (V) A PROPOSED TIMELINE FOR TRANSITION TO  
31 PERFORMANCE-BASED METRICS REGULATION.

32       (b) THE REPORT MAY INCLUDE ANY RECOMMENDATIONS OF  
33 LEGISLATION NEEDED TO FULLY REALIZE THE BENEFITS OF  
34 PERFORMANCE-BASED METRICS REGULATION, INCLUDING IDENTIFYING  
35 ANY EXISTING STATUTE THAT WOULD SERVE AS AN IMPEDIMENT TO  
36 REALIZING THE FULL BENEFITS OF A TRANSITION TO PERFORMANCE-BASED  
37 METRICS REGULATION AND SUGGESTED RECOMMENDED CHANGES TO THE  
38 EXISTING STATUTE.

39       (3) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2021.".

40       Renumber succeeding sections accordingly.

\*\*\* \*\*\* \*\*\* \*\*\* \*\*\*