

## SENATE FLOOR AMENDMENT

Second Reading

BY SENATOR Simpson

1 Amend reengrossed bill, page 11, after line 19 insert:

2 "SECTION 4. In Colorado Revised Statutes, 40-2-124, amend  
3 (1)(a) introductory portion as follows:

4 **40-2-124. Renewable energy standards - qualifying retail and**  
5 **wholesale utilities - definitions - net metering - legislative declaration**  
6 **- rules.**

7 (1) Each provider of retail electric service in the state of Colorado,  
8 other than municipally owned utilities that serve forty thousand customers  
9 or fewer, is a qualifying retail utility. Each qualifying retail utility, with  
10 the exception of cooperative electric associations that have voted to  
11 exempt themselves from commission jurisdiction pursuant to section  
12 40-9.5-104 and municipally owned utilities, is subject to the rules  
13 established under this article 2 by the commission. No additional  
14 regulatory authority is provided to the commission other than that  
15 specifically contained in this section. In accordance with article 4 of title  
16 24, the commission shall revise or clarify existing rules to establish the  
17 following:

18 (a) Definitions of eligible energy resources that can be used to  
19 meet the standards. "Eligible energy resources" means recycled energy,  
20 renewable energy resources, and renewable energy storage. In addition,  
21 resources using coal mine methane and synthetic gas produced by  
22 pyrolysis of waste materials are eligible energy resources if the  
23 commission determines that the electricity generated by those resources  
24 is greenhouse gas neutral. The commission shall determine, following an  
25 evidentiary hearing, the extent to which such electric generation  
26 technologies utilized in an optional pricing program may be used to  
27 comply with this standard. A fuel cell using hydrogen derived from an  
28 eligible energy resource is also an eligible electric generation technology.  
29 ~~Fossil and nuclear fuels and their derivatives are not eligible energy~~  
30 ~~resources.~~ As used in this section:".

31 Renumber succeeding sections accordingly.

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