

HB24-1370

HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Kipp

1 Amend the Energy and Environment Committee Report, dated April 4,
2 2024, page 1, line 11 strike "DOES NOT USE GAS BUT".

3 Page 1, line 12, after "COMBUST" insert "METHANE-, PROPANE-, OR
4 PETROLEUM-DERIVED".

5 Page 2, line 15, strike "UTILITY," and substitute "UTILITY AND AN ACTIVE
6 FRANCHISE AGREEMENT WITH THE DUAL-FUEL UTILITY,".

7 Page 2, strike line 28 and substitute "PROJECT IN A GAS PLANNING PILOT
8 COMMUNITY:

9 (a) WHERE A DUAL-FUEL UTILITY:

10 (I) PROVIDES BOTH GAS AND ELECTRIC SERVICE;

11 (II) PROVIDES GAS SERVICE AND A MUNICIPALLY OWNED UTILITY
12 OPERATED BY THE GAS PLANNING PILOT COMMUNITY PROVIDES ELECTRIC
13 SERVICE; OR

14 (III) PROVIDES GAS SERVICE AND A COOPERATIVE ELECTRIC
15 ASSOCIATION THAT SERVES A GAS PLANNING PILOT COMMUNITY HAS
16 VOLUNTARILY PARTNERED WITH THE DUAL-FUEL UTILITY; AND

17 (b) THAT GEOGRAPHICALLY".

18 Page 3, strike line 37 and substitute "PILOT COMMUNITIES. IN IDENTIFYING
19 PROPOSED GAS PLANNING PILOT COMMUNITIES, THE COLORADO ENERGY
20 OFFICE AND A DUAL-FUEL UTILITY SHALL PRIORITIZE LOCAL
21 GOVERNMENTS THAT ARE INTERESTED IN PURSUING THERMAL ENERGY
22 NETWORK OR GEOTHERMAL ENERGY PROJECTS AS PART OF THE PROPOSED
23 GAS PLANNING PILOT COMMUNITY'S EVALUATION OF ANY POTENTIAL
24 NEIGHBORHOOD-SCALE ALTERNATIVES PROJECT PURSUANT TO SECTION
25 40-3.3-103. THE COLORADO ENERGY OFFICE AND THE DUAL-FUEL UTILITY
26 SHALL ALSO JOINTLY FILE A DRAFT AGREEMENT BETWEEN THE
27 DUAL-FUEL".

28 Page 4, line 3, strike "AND".

29 Page 4, strike line 5 and substitute "TWO PARTIES; AND

30 (V) INDICATE WHETHER THE PROPOSED GAS PLANNING PILOT
31 COMMUNITY HAS DEMONSTRATED AN INTEREST IN PURSUING THERMAL
32 ENERGY NETWORK OR GEOTHERMAL ENERGY PROJECTS.".

33 Page 6, after line 21 insert:

- 1 "(d) THE NET COST TO CUSTOMERS POTENTIALLY PARTICIPATING
2 IN THE NEIGHBORHOOD-SCALE ALTERNATIVES PROJECT;".
- 3 Reletter succeeding paragraphs accordingly.
- 4 Page 6, line 26, strike "PROJECT;" and substitute "PROJECT, WITH PRIORITY
5 GIVEN TO PROJECTS THAT INCLUDE A THERMAL ENERGY NETWORK OR A
6 GEOTHERMAL ENERGY PROJECT;".
- 7 Page 6, line 34, after "AVAILABLE;" add "AND".
- 8 Page 6, line 37, strike "COMMUNITIES; AND" and substitute
9 "COMMUNITIES."
- 10 Page 6, strike lines 38 through 41.
- 11 Page 7, line 20, after "COMMISSION." add "THE JOINT APPLICATION MUST
12 ALSO INCLUDE THE NET COSTS OF THE PROJECTS, INCLUDING ANY:
13 (A) STATE OR FEDERAL FUNDING OR TAX CREDITS;
14 (B) GAS PLANNING PILOT COMMUNITY INCENTIVES OR FUNDING;
15 (C) EXISTING DUAL-FUEL UTILITY PROGRAM FUNDING;
16 (D) ADDITIONAL DUAL-FUEL UTILITY INCENTIVES OR FUNDING;
17 (E) CUSTOMER CONTRIBUTIONS; AND
18 (F) ANTICIPATED TOTAL CAPITAL EXPENDITURES BY THE
19 DUAL-FUEL UTILITY AND CUSTOMERS, AVOIDED UTILITY CAPITAL
20 EXPENDITURES, AND FUTURE DISCOUNTED CUSTOMER UTILITY BILL
21 SAVINGS OR EXPENSES."
- 22 Page 7, strike lines 39 and 40 and substitute "TO THE GAS PLANNING PILOT
23 COMMUNITY, PARTICIPATING CUSTOMERS, AND RATEPAYERS WITHIN THE
24 DUAL-FUEL UTILITY'S GAS SERVICE TERRITORY AND ANY COST SHIFT
25 BETWEEN PARTICIPATING CUSTOMERS AND ALL RATEPAYERS OF THE
26 DUAL-FUEL UTILITY;
27 (III) THE APPROVED PORTFOLIO OF NEIGHBORHOOD-SCALE
28 ALTERNATIVES PROJECTS PROVIDES AN APPROPRIATE MIX OF
29 TECHNOLOGIES, CUSTOMER CLASSES, AND NEW CONSTRUCTION AND
30 EXISTING BUILDINGS AND INCLUDES THE USE OF THERMAL ENERGY
31 NETWORKS OR GEOTHERMAL ENERGY PROJECTS; AND".
- 32 Renumber succeeding subparagraph accordingly.
- 33 Page 9, line 32, strike "PROVIDED THAT" and substitute "IF THE DUAL-FUEL
34 UTILITY'S ROLE IN PROJECT IMPLEMENTATION AND OPERATIONS IS

1 CLEARLY DEFINED IN AN APPLICATION TO THE COMMISSION AND".

2 Page 9, strike line 34.

3 Renumber succeeding subparagraphs accordingly.

4 Page 9, after line 38 insert:

5 "(6) IF A NEIGHBORHOOD-SCALE ALTERNATIVES PROJECT
6 QUALIFIES AS AN ENERGY SECTOR PUBLIC WORKS PROJECT, AS DEFINED IN
7 SECTION 24-92-303, A DUAL-FUEL UTILITY SHALL COMPLY WITH ALL
8 REQUIREMENTS SET FORTH IN PART 3 OF ARTICLE 92 OF TITLE 24."

9 Renumber succeeding subsections accordingly.

10 Page 10, strike line 5 and substitute:

11 "(c) ACTUAL NET PROJECT COSTS INCURRED, INCLUDING ANY:
12 (I) STATE OR FEDERAL FUNDING OR TAX CREDITS;
13 (II) GAS PLANNING PILOT COMMUNITY INCENTIVES OR FUNDING;
14 (III) EXISTING DUAL-FUEL UTILITY PROGRAM FUNDING;
15 (IV) ADDITIONAL DUAL-FUEL UTILITY INCENTIVES OR FUNDING;
16 (V) CUSTOMER CONTRIBUTIONS; AND
17 (VI) ANTICIPATED TOTAL CAPITAL EXPENDITURES BY THE
18 DUAL-FUEL UTILITY AND CUSTOMERS, AVOIDED UTILITY CAPITAL
19 EXPENDITURES, AND FUTURE DISCOUNTED CUSTOMER UTILITY BILL
20 SAVINGS OR EXPENSES;"

21 Page 10, strike lines 15 through 28 and substitute:

22 "(8) BY JULY 1, 2028, OR ANOTHER TIME DETERMINED BY THE
23 COMMISSION, THE COMMISSION SHALL HIRE A THIRD-PARTY CONSULTANT
24 TO CONDUCT AN ANALYSIS OF ALL APPROVED AND PROPOSED
25 NEIGHBORHOOD-SCALE ALTERNATIVES PROJECTS AND PRESENT THE
26 FINDINGS OF THE ANALYSIS TO THE COMMISSION AND THE GENERAL
27 ASSEMBLY. THE ANALYSIS MUST INCLUDE:

28 (a) FOR EACH PROJECT, THE INFORMATION SET FORTH IN
29 SUBSECTION (7) OF THIS SECTION;

30 (b) A COMPARATIVE ANALYSIS OF NET COSTS INCURRED BY ALL
31 PARTIES IN A NEIGHBORHOOD-SCALE ALTERNATIVES PROJECT, COMPARED
32 WITH THE COST OF THE GAS INFRASTRUCTURE PROJECT THAT WAS
33 AVOIDED, INCLUDING ANY:

34 (I) STATE OR FEDERAL FUNDING OR TAX CREDITS;

- 1 (II) GAS PLANNING PILOT COMMUNITY INCENTIVES OR FUNDING;
2 (III) EXISTING DUAL-FUEL UTILITY PROGRAM FUNDING;
3 (IV) ADDITIONAL DUAL-FUEL UTILITY INCENTIVES OR FUNDING;
4 (V) CUSTOMER CONTRIBUTIONS; AND
5 (VI) ANTICIPATED TOTAL CAPITAL EXPENDITURES BY THE
6 DUAL-FUEL UTILITY AND CUSTOMERS, AVOIDED UTILITY CAPITAL
7 EXPENDITURES, AND FUTURE DISCOUNTED CUSTOMER UTILITY BILL
8 SAVINGS OR EXPENSES;
9 (c) THE ABILITY OF EACH PROJECT TO DEFER OR AVOID GAS
10 INFRASTRUCTURE INVESTMENTS;
11 (d) THE CUSTOMER ECONOMICS OF NON-EMITTING THERMAL
12 RESOURCES COMPARED WITH GAS ALTERNATIVES;
13 (e) AN ANALYSIS OF ANY SUPPLY CHAIN CHALLENGES;
14 (f) THE OVERALL LESSONS LEARNED FROM THE PROJECTS;
15 (g) THE PERSPECTIVES OF THE GAS PLANNING PILOT COMMUNITIES
16 REGARDING THE COLLABORATIVE PROCESS WITH A DUAL-FUEL UTILITY
17 AND ANY LESSONS LEARNED FOR IMPROVING THE PROCESS;
18 (h) THE NET IMPACTS TO THE UTILITY WORKFORCE; AND
19 (i) ANY OTHER INFORMATION REQUIRED BY THE COMMISSION."

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