

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Energy & Environment.

HB20-1225 be amended as follows:

1 Amend printed bill, page 4, line 2, after "SYSTEMS" insert "THAT ARE
2 CONNECTED TO THE COOPERATIVE ELECTRIC ASSOCIATION'S ELECTRICAL
3 SYSTEM AND WILL NOT, AT ANY TIME, FLOW ONTO THE TRANSMISSION
4 FACILITIES OF A WHOLESALE ELECTRIC COOPERATIVE OR OTHER THIRD
5 PARTY WITHOUT PRIOR AGREEMENT".

6 Page 4, after line 21 insert:

7 **"SECTION 4.** In Colorado Revised Statutes, 40-3-101, **add (3)**
8 as follows:

9 **40-3-101. Reasonable charges - adequate service.** (3) (a) IF A
10 RETAIL COOPERATIVE ELECTRIC ASSOCIATION, IN CONJUNCTION WITH THE
11 PAYMENT OF AN APPLICABLE CHARGE, WITHDRAWS FROM MEMBERSHIP IN
12 A WHOLESALE ELECTRIC COOPERATIVE, AS DEFINED IN SECTION 40-2-136
13 (3)(c), THAT WITHDRAWAL IS DEEMED TO BE A MATTER OF STATEWIDE
14 CONCERN, AND, IN RELATION TO SUCH WITHDRAWAL:

15 (I) THE WHOLESALE ELECTRIC COOPERATIVE WILL ACT IN
16 ACCORDANCE WITH THE OBLIGATION OF GOOD FAITH AND FAIR DEALING
17 IN IMPLEMENTING THE WITHDRAWAL AND SHALL NOT REQUIRE OR IMPOSE
18 COMMERCIALLY UNREASONABLE CONTRACTUAL TERMS ON THE RETAIL
19 COOPERATIVE ELECTRIC ASSOCIATION IN RELATION TO THE WITHDRAWAL;
20 AND

21 (II) THE WHOLESALE ELECTRIC COOPERATIVE SHALL, UPON
22 REQUEST FROM THE WITHDRAWING RETAIL COOPERATIVE ELECTRIC
23 ASSOCIATION, FACILITATE THE RETAIL COOPERATIVE ELECTRIC
24 ASSOCIATION'S TRANSITION FROM NATIVE LOAD TO A FIRM SERVICE
25 TRANSMISSION CUSTOMER WITHOUT DIMINISHING THE WITHDRAWING
26 RETAIL COOPERATIVE ELECTRIC ASSOCIATION'S NATIVE ELECTRIC LOAD
27 PRIORITY FOR ACCESSING FIRM TRANSMISSION CAPACITY.

28 (b) THE COMMISSION HAS THE AUTHORITY TO ADJUDICATE
29 COMPLAINTS ABOUT THE TERMS ON WHICH A WHOLESALE ELECTRIC
30 COOPERATIVE IMPLEMENTS WITHDRAWAL PURSUANT TO THIS SUBSECTION
31 (3).".

32 Renumber succeeding section accordingly.

33 Strike "COOPERATIVE ELECTRIC ASSOCIATION" and substitute "ELECTRIC
34 COOPERATIVE" on: **Page 3**, lines 7 and 10.

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