

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Finance.

HB25-1268 be amended as follows:

1 Amend the Energy and Environment Committee Report, dated March 20,
2 2025, page 1, after line 13 insert:

3 "(a) UTILITIES BENEFIT FROM UTILITY ON-BILL PROGRAMS
4 BECAUSE THE PROGRAMS CAN REDUCE ENERGY CONSUMPTION AND PEAK
5 DEMAND;".

6 Reletter succeeding paragraphs accordingly.

7 Page 12, strike line 40 and substitute "DESCRIBED IN SECTION
8 24-38.5-603;

9 (II) ENTER INTO CONTRACTS THAT AUTHORIZE PARTICIPATING
10 UTILITIES AND THIRD-PARTY PROGRAM ADMINISTRATORS, AS THOSE TERMS
11 ARE DEFINED IN SECTION 24-38.5-602, TO REMIT ANY INTEREST DIRECTLY
12 TO THE UNCLAIMED PROPERTY TRUST FUND; AND".

13 Renumber succeeding subparagraph accordingly.

14 Page 14, line 5, strike "PUBLIC INTEREST" and substitute "BEST INTEREST
15 OF COVERED BUILDING OWNERS AND PARTICIPATING UTILITIES".

16 Page 14, strike lines 28 through 33 and substitute:

17 "(V) IT IS IN THE BEST INTEREST OF COVERED BUILDING OWNERS
18 TO CREATE A BUILDING DECARBONIZATION ENTERPRISE CASH FUND WITHIN
19 THE BUILDING DECARBONIZATION ENTERPRISE, THE USE OF WHICH IS
20 DEDICATED TO FINANCING THE PROVISION OF TECHNICAL SUPPORT FOR
21 COVERED BUILDING OWNERS SEEKING TO IMPLEMENT ENERGY EFFICIENCY
22 MEASURES AND BUILDING DECARBONIZATION MEASURES;

23 (VI) THE ACTIVITIES OF THE ENTERPRISE ARE FUNDED BY REVENUE
24 GENERATED FROM AN ON-BILL PROGRAM ADMINISTRATION FEE PAID BY
25 PARTICIPATING UTILITIES AND ANY GIFTS, GRANTS, AND DONATIONS
26 RECEIVED;

27 (VII) IT IS APPROPRIATE THAT PARTICIPATING UTILITIES SHOULD
28 PAY AN ON-BILL PROGRAM ADMINISTRATION FEE BECAUSE PARTICIPATING
29 UTILITIES ARE THE DIRECT BENEFICIARIES OF SERVICES THAT THE
30 ENTERPRISE PROVIDES, WHICH SERVICES INCLUDE TECHNICAL ASSISTANCE
31 AND OTHER PROGRAMMATIC SUPPORT FOR ON-BILL PROGRAMS DESCRIBED
32 IN SUBSECTION (1)(a)(III) OF THIS SECTION;

33 (VIII) PARTICIPATING UTILITIES BENEFIT FROM THE
34 IMPLEMENTATION OF ON-BILL PROGRAMS BECAUSE:

1 (A) UTILITY ON-BILL PROGRAMS CAN REDUCE ENERGY
2 CONSUMPTION AND PEAK DEMAND;
3 (B) UTILITY CUSTOMERS BENEFIT FROM HAVING ACCESS TO
4 SIGNIFICANT AMOUNTS OF PUBLIC AND PRIVATE CAPITAL FOR LOW-COST
5 FINANCING SOLUTIONS FOR ENERGY-RELATED IMPROVEMENTS, INCLUDING
6 END-OF-LIFE EQUIPMENT REPLACEMENT; AND
7 (C) UTILITY ON-BILL PROGRAMS THAT ALLOW REPAYMENTS
8 THROUGH UTILITY BILL PAYMENTS COULD EXPAND THE OPPORTUNITIES
9 FOR ELIGIBLE RETAIL UTILITY CUSTOMERS TO PURSUE ENERGY EFFICIENCY
10 MEASURES AND ELECTRIFICATION MEASURES, ENABLING UTILITY
11 CUSTOMERS TO PAY BACK THE UP-FRONT COSTS OF THE UPGRADES AND
12 MEASURES OVER TIME THROUGH THEIR UTILITY BILL PAYMENTS AT OR
13 BELOW INTEREST RATES THAT MAY BE AVAILABLE FROM OTHER SOURCES;
14 (IX) IT IS IN THE BEST INTEREST OF PARTICIPATING UTILITIES TO
15 CREATE AN ON-BILL CASH FUND WITHIN THE BUILDING DECARBONIZATION
16 ENTERPRISE, THE USE OF WHICH IS DEDICATED TO TECHNICAL ASSISTANCE
17 AND OTHER PROGRAMMATIC SUPPORT FOR ON-BILL PROGRAMS FOR
18 PARTICIPATING UTILITIES;"

19 Renumber succeeding subparagraphs accordingly.

20 Page 14, line 39, strike "IS A FEE, NOT A TAX," and substitute "AND THE
21 ON-BILL PROGRAM ADMINISTRATION FEE ARE BOTH FEES, NOT TAXES,".

22 Page 15, line 10, strike "RETAIL CUSTOMERS;" and substitute "ELIGIBLE
23 RETAIL CUSTOMERS AND COLLECTED AT A RATE THAT IS REASONABLY
24 RELATED TO THE OVERALL COST OF THE BUSINESS SERVICES BEING
25 PROVIDED;"

26 Page 17, strike line 26.

27 Page 17, after line 28 insert:

28 "(D) PROVIDING CONSUMER EDUCATION AND MARKETING SUPPORT
29 TO INCREASE CUSTOMER PARTICIPATION IN THE PARTICIPATING UTILITIES'
30 ON-BILL PROGRAMS; AND".

31 Page 17, strike line 31 and substitute "DESIGNS AND TECHNICAL
32 ASSISTANCE FOR THE".

33 Page 19, line 17, after "**duties**" insert "**of board**".

34 Page 20, after line 4 insert:

1 "(VI) TO SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, AND
2 DONATIONS IN SUPPORT OF SERVICES THAT THE ENTERPRISE PROVIDES TO
3 COVERED BUILDING OWNERS FOR BUILDING DECARBONIZATION MEASURES
4 OR TO PARTICIPATING UTILITIES FOR ON-BILL PROGRAMS;"

5 Renumber succeeding subparagraphs accordingly.

6 Page 20, strike lines 7 through 10 and substitute "EXPANDING AN ON-BILL
7 PROGRAM, WHICH PROGRAM INCLUDES:

8 (A) DEVELOPING A FULL SET OF ON-BILL PROGRAM MODELS,
9 INCLUDING MODELS THAT ARE RUN BY THIRD-PARTY OPT-IN ON-BILL
10 PROGRAMS THAT PARTICIPATING UTILITIES ADOPT;

11 (B) ASSISTING UTILITIES IN MEETING REPORTING OBLIGATIONS SET
12 FORTH IN SECTION 24-38.5-603 (5)(a);

13 (C) PROVIDING TECHNICAL ASSISTANCE FOR THE IMPLEMENTATION
14 AND ADMINISTRATION OF ON-BILL PROGRAMS; AND

15 (D) PROVIDING CONSUMER EDUCATION AND MARKETING SUPPORT
16 TO INCREASE CUSTOMER PARTICIPATION IN THE PARTICIPATING UTILITIES'
17 ON-BILL PROGRAMS; AND".

18 Page 20, line 27, strike "DOLLARS" and substitute "DOLLARS, WHICH IS
19 REASONABLY RELATED TO THE OVERALL COST OF THE PROVIDED SERVICES
20 FUNDED BY THE BUILDING DECARBONIZATION FEE. THE FEE SHALL BE
21 PAID".

22 Page 20, line 36, strike "OFFICE" and substitute "ENTERPRISE".

23 Page 21, strike lines 3 and 4 and substitute:

24 "(B) IS COLLECTED ON BEHALF OF THE ENTERPRISE;

25 (C) IS HELD TEMPORARILY BY THE OFFICE AND THE STATE
26 TREASURER SOLELY".

27 Reletter succeeding sub-subparagraph accordingly.

28 Page 21, line 15, after the period add "TO ENSURE THAT THE ON-BILL
29 PROGRAM ADMINISTRATION FEE FOR EACH PARTICIPATING UTILITY IS
30 REASONABLY RELATED TO THE SERVICES PROVIDED BY THE ENTERPRISE,
31 THE BOARD SHALL SET THE ADMINISTRATION FEE WITHIN THE RANGES
32 SPECIFIED IN SUBSECTION (5)(c)(II) OF THIS SECTION BASED ON CRITERIA
33 INCLUDING:

34 (A) THE ANTICIPATED SIZE OF THE PROPOSED ON-BILL PROGRAM;

35 (B) THE NUMBER AND AMOUNT OF SERVICES THAT THE ENTERPRISE

1 INTENDS TO PROVIDE TO PARTICIPATING UTILITIES BASED ON THE SIZE OF
2 THE LOAN;

3 (C) WHETHER THE PARTICIPATING UTILITY IS SEEKING TO
4 ESTABLISH A NEW ON-BILL PROGRAM OR EXPAND AN EXISTING ON-BILL
5 PROGRAM; AND

6 (D) THE ESTIMATED NUMBER OF CUSTOMERS IN EACH RATE CLASS
7 FORECASTED TO PARTICIPATE IN THE ON-BILL PROGRAM."

8 Page 21, line 16, strike "(5)(c)(III)" and substitute "(5)(c)(IV)".

9 Page 21, strike lines 19 through 23 and substitute "2025, AND ON OR
10 BEFORE NOVEMBER 1 OF EACH YEAR THEREAFTER, SO LONG AS THE
11 PARTICIPATING UTILITY IS ESTABLISHING, MAINTAINING, OR EXPANDING
12 ITS ON-BILL PROGRAM. THE ON-BILL PROGRAM ADMINISTRATION FEE MUST
13 BE BASED ON THE AMOUNT OF THE MONEY LOANED TO THE PARTICIPATING
14 UTILITY OR A UTILITY-DESIGNATED ADMINISTRATOR FROM THE ON-BILL
15 CASH FUND AS FOLLOWS:".

16 Page 22, after line 8 insert:

17 "(III) THE FEE RANGES PRESCRIBED IN SUBSECTION (5)(c)(II) OF
18 THIS SECTION ARE REASONABLY RELATED TO THE OVERALL COST OF THE
19 SERVICES PROVIDED. THE COST OF SERVICES TO FEE PAYERS THAT RECEIVE
20 LARGER LOANS IS HIGHER BECAUSE PARTICIPATING UTILITIES THAT
21 RECEIVE LARGER LOANS WILL REQUIRE GREATER SERVICES FROM THE
22 ENTERPRISE, INCLUDING SERVICES FOR TECHNICAL SUPPORT, PROGRAM
23 DEVELOPMENT, AND RATE IMPACT MODELING FOR LARGER AND MORE
24 COMPLEX ON-BILL PROGRAMS."

25 Renumber succeeding subparagraphs accordingly.

26 Page 22, line 27, before "**repeal.**" insert "**gifts, grants, and donations -**".

27 Page 22, after line 31 insert:

28 "(II) ANY MONEY THAT THE ENTERPRISE RECEIVES AS GIFTS,
29 GRANTS, AND DONATIONS IN SUPPORT OF SERVICES THAT THE ENTERPRISE
30 PROVIDES TO COVERED BUILDING OWNERS FOR BUILDING
31 DECARBONIZATION MEASURES;".

32 Renumber succeeding subparagraphs accordingly.

33 Page 23, line 18, before "**repeal.**" insert "**gifts, grants, and donations -**".

1 Page 23, after line 23 insert:

2 "(II) ANY MONEY THAT THE ENTERPRISE RECEIVES AS GIFTS,
3 GRANTS, AND DONATIONS IN SUPPORT OF SERVICES THAT THE ENTERPRISE
4 PROVIDES TO PARTICIPATING UTILITIES FOR ON-BILL PROGRAMS;".

5 Renumber succeeding subparagraphs accordingly.

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