

## CHAPTER 209

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**PUBLIC UTILITIES**


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**HOUSE BILL 17-1227**

BY REPRESENTATIVE(S) Winter and Lawrence, Covarrubias, McKean, McLachlan, Benavidez, Bridges, Buckner, Gray, Hansen, Hooton, Kennedy, Lee, Michaelson Jenet, Mitsch Bush, Rankin, Weissman, Young, Duran;  
also SENATOR(S) Priola and Fenberg, Court, Jones, Merrifield, Moreno.

**AN ACT****CONCERNING AN EXTENSION OF DEMAND-SIDE MANAGEMENT GOALS FOR INVESTOR-OWNED UTILITIES AS SET BY THE PUBLIC UTILITIES COMMISSION.**

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** In Colorado Revised Statutes, 40-3.2-104, **amend** (2) as follows:

**40-3.2-104. Electricity utility demand-side management programs - rules - annual report - definition.** (2) (a) The commission shall establish energy savings and peak demand reduction goals to be achieved by an investor-owned electric utility, taking into account the utility's cost-effective ~~DSM~~ DEMAND-SIDE MANAGEMENT potential, the need for electricity resources, the benefits of ~~DSM~~ DEMAND-SIDE MANAGEMENT investments, and other factors as determined by the commission.

(b) The energy savings and peak demand reduction goals ~~shall~~ **MUST** be at least five percent of the utility's retail system peak demand, measured in megawatts, in the base year and at least five percent of the utility's retail energy sales, measured in megawatt-hours, in the base year. The base year ~~shall be~~ **IS** 2006. The goals shall be met in 2018, counting savings in 2018 from ~~DSM~~ DEMAND-SIDE MANAGEMENT measures installed starting in 2006. The commission may establish interim goals and may revise the goals as it deems appropriate.

(c) **COMMENCING JANUARY 1, 2019, THE ENERGY SAVINGS AND PEAK DEMAND REDUCTION GOALS MUST BE AT LEAST FIVE PERCENT OF THE UTILITY'S RETAIL SYSTEM PEAK DEMAND, MEASURED IN MEGAWATTS, IN THE BASE YEAR AND AT LEAST FIVE PERCENT OF THE UTILITY'S RETAIL ENERGY SALES, MEASURED IN MEGAWATT-HOURS, IN THE BASE YEAR. THE BASE YEAR IS 2018. THE GOALS SHALL**

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

BE MET IN 2028, COUNTING SAVINGS IN 2028 FROM DEMAND-SIDE MANAGEMENT MEASURES INSTALLED STARTING IN 2019. THE COMMISSION MAY ESTABLISH INTERIM GOALS AND MAY REVISE THE GOALS AS IT DEEMS APPROPRIATE.

**SECTION 2. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 18, 2017