

**Second Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 20-0999.01 Thomas Morris x4218

**SENATE BILL 20-150**

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**SENATE SPONSORSHIP**

**Hansen,**

**HOUSE SPONSORSHIP**

**(None),**

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**Senate Committees**

Transportation & Energy  
Appropriations

**House Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING ADOPTION OF A RENEWABLE NATURAL GAS STANDARD.**

**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill requires the public utilities commission to adopt by rule, no later than July 31, 2021, renewable natural gas programs for large natural gas utilities (those that have at least 200,000 customer accounts in Colorado) and small natural gas utilities (those that have fewer than 200,000 customer accounts in Colorado). The rules must include reporting requirements and a process for natural gas utilities to fully recover prudently incurred costs associated with the large and small renewable natural gas programs.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.

"Renewable natural gas" is defined to mean any of the following products processed to meet pipeline quality standards or transportation fuel-grade requirements:

- ! Biogas that is blended with, or substituted for, geologic natural gas;
- ! Hydrogen gas derived from renewable energy sources; or
- ! Methane gas derived from any combination of biogas; hydrogen gas or carbon oxides derived from renewable energy sources; waste carbon dioxide; coalbed methane resulting from human activity; naturally occurring coalbed deposits; a municipal solid waste landfill; waste tire or municipal solid waste pyrolysis; or biogas recovery from manure management systems and anaerobic digesters.

If a large natural gas utility's total incremental annual cost to meet the targets of the large renewable natural gas program exceeds 5% of the large natural gas utility's total revenue requirement for a particular year, the large natural gas utility shall not make additional qualified investments under the large renewable natural gas program for that year without approval from the commission. The bill establishes the following portfolio targets for the percentage of gas purchased by large natural gas utilities that is renewable natural gas:

- ! By January 1, 2025, at least 5% must be renewable natural gas;
- ! By January 1, 2030, at least 10% must be renewable natural gas; and
- ! On and after January 1, 2035, at least 15% must be renewable natural gas.

Small natural gas utilities may opt in to the small renewable natural gas program as established by the commission by rule. The rule must include a rate cap limiting the small natural gas utility's costs of procuring renewable natural gas from third parties and qualified investments in renewable natural gas infrastructure.

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

2           **SECTION 1.** In Colorado Revised Statutes, **add** 40-2-124.5 as  
3 follows:

4           **40-2-124.5. Renewable natural gas resource standard -**  
5 **legislative declaration - definitions - rules.** (1) THE GENERAL  
6 ASSEMBLY HEREBY:

7           (a) FINDS THAT RENEWABLE NATURAL GAS PROVIDES BENEFITS TO

1 NATURAL GAS UTILITY CUSTOMERS AND TO THE PUBLIC;

2 (b) DETERMINES THAT THE DEVELOPMENT OF RENEWABLE  
3 NATURAL GAS RESOURCES SHOULD BE ENCOURAGED TO SUPPORT A  
4 SMOOTH TRANSITION TO A LOW-CARBON ENERGY ECONOMY IN COLORADO;  
5 AND

6 (c) DECLARES THAT:

7 (I) NATURAL GAS UTILITIES CAN REDUCE EMISSIONS FROM THE  
8 DIRECT USE OF NATURAL GAS BY PROCURING RENEWABLE NATURAL GAS  
9 AND INVESTING IN RENEWABLE NATURAL GAS INFRASTRUCTURE;

10 (II) REGULATORY GUIDELINES FOR THE PROCUREMENT OF  
11 RENEWABLE NATURAL GAS AND INVESTMENTS IN RENEWABLE NATURAL  
12 GAS INFRASTRUCTURE SHOULD FACILITATE THESE PROCUREMENTS AND  
13 INVESTMENTS WHILE ALSO PROTECTING COLORADO CONSUMERS; AND

14 (III) RENEWABLE NATURAL GAS SHOULD BE INCLUDED IN THE  
15 BROADER SET OF LOW-CARBON RESOURCES THAT MAY LEVERAGE AND  
16 DECARBONIZE THE EXISTING NATURAL GAS SYSTEM TO REDUCE  
17 GREENHOUSE GAS EMISSIONS.

18 (2) AS USED IN THIS SECTION:

19 (a) "AUTOMATIC ADJUSTMENT CLAUSE" MEANS AN ANNUAL  
20 MECHANISM THAT ALLOWS FOR RECOVERY OF INVESTMENT ON AN  
21 UNLAGGED BASIS WITH A FORWARD-LOOKING REVENUE REQUIREMENT  
22 CALCULATION WITH A TRUE-UP PROCESS.

23 (b) "BIOGAS" MEANS A MIXTURE OF CARBON DIOXIDE AND  
24 HYDROCARBONS, PRIMARILY METHANE GAS, RELEASED FROM THE  
25 BIOLOGICAL DECOMPOSITION OF ORGANIC MATERIALS.

26 ==

27 (c) "LARGE NATURAL GAS UTILITY" MEANS A NATURAL GAS

1 UTILITY WITH TWO HUNDRED FIFTY THOUSAND OR MORE CUSTOMER  
2 ACCOUNTS IN COLORADO.

3 (d) "NATURAL GAS UTILITY" MEANS A PUBLIC UTILITY PROVIDING  
4 NATURAL GAS SERVICE TO CUSTOMERS; EXCEPT THAT THE TERM DOES NOT  
5 INCLUDE A MUNICIPALLY OWNED NATURAL GAS UTILITY.

6 (e) (I) "QUALIFIED INVESTMENT" MEANS ANY CAPITAL  
7 INVESTMENT IN RENEWABLE NATURAL GAS INFRASTRUCTURE INCURRED  
8 BY A NATURAL GAS UTILITY FOR THE PURPOSE OF PROVIDING NATURAL  
9 GAS SERVICE UNDER A RENEWABLE NATURAL GAS PROGRAM DESCRIBED  
10 IN SUBSECTION (4) OR (5) OF THIS SECTION.

11 (II) "QUALIFIED INVESTMENT" DOES NOT INCLUDE AN INVESTMENT  
12 IN A BIOGAS PRODUCTION PROJECT BY:

13 (A) A SINGLE LIVESTOCK OPERATION THAT PRODUCES MORE THAN  
14 TWO HUNDRED FIFTY STANDARD CUBIC FEET OF BIOGAS PER MINUTE; OR

15 (B) A SINGLE BIOGAS SOURCE THAT PRODUCES MORE THAN ONE  
16 THOUSAND STANDARD CUBIC FEET OF BIOGAS PER MINUTE.

17 (f) "RENEWABLE ENERGY SOURCES" MEANS:

18 (I) RENEWABLE ENERGY RESOURCES, AS DEFINED IN SECTION  
19 40-2-124 (1)(a)(VII); AND

20 (II) BIOGAS.

21 (g) "RENEWABLE NATURAL GAS" MEANS ANY OF THE FOLLOWING  
22 PRODUCTS THAT ARE PROCESSED TO MEET PIPELINE QUALITY STANDARDS  
23 TRANSPORTATION FUEL-GRADE REQUIREMENTS OR ARE DELIVERED BY  
24 AN ALTERNATIVE ENERGY CARRIER.

25 (I) BIOGAS THAT IS BLENDED WITH, OR SUBSTITUTED FOR,  
26 GEOLOGIC NATURAL GAS;

27 (II) HYDROGEN GAS DERIVED FROM RENEWABLE ENERGY

1 SOURCES; OR

2 (III) METHANE GAS DERIVED FROM ANY COMBINATION OF:

3 (A) BIOGAS;

4 (B) HYDROGEN GAS OR CARBON OXIDES DERIVED FROM

5 RENEWABLE ENERGY SOURCES;

6 (C) WASTE CARBON DIOXIDE;

7 (D) COALBED METHANE RESULTING FROM HUMAN ACTIVITY;

8 (E) NATURALLY OCCURRING COALBED DEPOSITS;

9 (F) A MUNICIPAL SOLID WASTE LANDFILL;

10 (G) WASTE TIRE OR MUNICIPAL SOLID WASTE PYROLYSIS;     

11 (H) BIOGAS RECOVERY FROM MANURE MANAGEMENT SYSTEMS

12 AND ANAEROBIC DIGESTERS; OR

13 (I) THE DECOMPOSITION OF ORGANIC FOOD WASTE.

14 (h) "RENEWABLE NATURAL GAS INFRASTRUCTURE" MEANS ALL

15 EQUIPMENT AND FACILITIES FOR THE PRODUCTION, PROCESSING, PIPELINE

16 INTERCONNECTION, AND DISTRIBUTION OF RENEWABLE NATURAL GAS TO

17 BE FURNISHED TO COLORADO CUSTOMERS.

18 (i) "SMALL NATURAL GAS UTILITY" MEANS A NATURAL GAS

19 UTILITY WITH FEWER THAN TWO HUNDRED FIFTY THOUSAND CUSTOMER

20 ACCOUNTS IN COLORADO.

21 (3) (a) THE COMMISSION SHALL ADOPT BY RULE:

22 (I) A LARGE RENEWABLE NATURAL GAS PROGRAM FOR LARGE

23 NATURAL GAS UTILITIES PURSUANT TO SUBSECTION (4) OF THIS SECTION;

24 AND

25 (II) A SMALL RENEWABLE NATURAL GAS PROGRAM FOR SMALL

26 NATURAL GAS UTILITIES PURSUANT TO SUBSECTION (5) OF THIS SECTION.

27 (b) RULES ADOPTED BY THE COMMISSION UNDER THIS SECTION

1 MUST INCLUDE:

2 (I) REPORTING REQUIREMENTS UNDER THE LARGE RENEWABLE  
3 NATURAL GAS PROGRAM AND THE SMALL RENEWABLE NATURAL GAS  
4 PROGRAM;

5 (II) MODIFYING THE COMMISSION'S RULES FOR GAS COST  
6 ADJUSTMENT AND PRUDENCE REVIEW TO:

7 (A) ALLOW RENEWABLE NATURAL GAS PURCHASES TO BE  
8 INCLUDED IN A GAS COST ADJUSTMENT;

9 (B) CREATE A PRUDENCE REVIEW STANDARD FOR RENEWABLE  
10 NATURAL GAS PURCHASES THAT WILL PROVIDE ASSURANCE THAT  
11 RENEWABLE NATURAL GAS PURCHASES WILL BE RECOVERABLE UNDER THE  
12 GAS COST ADJUSTMENT; AND

13 (C) REFLECT RENEWABLE NATURAL GAS CREDITS RECEIVED BY A  
14 NATURAL GAS UTILITY AS A CREDIT AGAINST COSTS INCLUDED IN THAT  
15 UTILITY'S GAS COST ADJUSTMENT; AND

16 (III) ESTABLISHING A PROCESS FOR NATURAL GAS UTILITIES TO  
17 FULLY RECOVER PRUDENTLY INCURRED COSTS ASSOCIATED WITH THE  
18 LARGE RENEWABLE NATURAL GAS PROGRAM AND THE SMALL RENEWABLE  
19 NATURAL GAS PROGRAM.

20 (c) RULES ADOPTED BY THE COMMISSION UNDER THIS SUBSECTION  
21 (3) MUST NOT PROHIBIT AN AFFILIATED INTEREST OF A LARGE NATURAL  
22 GAS UTILITY OR OF A SMALL NATURAL GAS UTILITY FROM MAKING A  
23 CAPITAL INVESTMENT IN A RENEWABLE NATURAL GAS PRODUCTION  
24 PROJECT IF THE AFFILIATED INTEREST IS NOT A PUBLIC UTILITY.

25 (4) (a) A LARGE NATURAL GAS UTILITY THAT PARTICIPATES IN THE  
26 LARGE RENEWABLE NATURAL GAS PROGRAM ADOPTED BY RULE BY THE  
27 COMMISSION PURSUANT TO SUBSECTION (3)(a)(I) OF THIS SECTION MAY

1 MAKE QUALIFIED INVESTMENTS AND PROCURE RENEWABLE NATURAL GAS  
2 FROM THIRD PARTIES TO MEET THE FOLLOWING PORTFOLIO TARGETS FOR  
3 THE PERCENTAGE OF GAS PURCHASED BY THE LARGE NATURAL GAS  
4 UTILITY FOR DISTRIBUTION TO RETAIL NATURAL GAS CUSTOMERS IN  
5 COLORADO THAT IS RENEWABLE NATURAL GAS AND TO GENERATE  
6 ELECTRICITY USING RENEWABLE NATURAL GAS FOR SALE OF ELECTRICITY  
7 TO RETAIL ELECTRICITY CUSTOMERS:

8 (I) BY JANUARY 1, 2025, AT LEAST FIVE PERCENT MUST BE  
9 RENEWABLE NATURAL GAS;

10 (II) BY JANUARY 1, 2030, AT LEAST TEN PERCENT MUST BE  
11 RENEWABLE NATURAL GAS; AND

12 (III) ON AND AFTER JANUARY 1, 2035, AT LEAST FIFTEEN PERCENT  
13 MUST BE RENEWABLE NATURAL GAS.

14 (b) THE COMMISSION SHALL ADOPT RATE-MAKING MECHANISMS  
15 THAT ENSURE THE RECOVERY OF ALL PRUDENTLY INCURRED COSTS THAT  
16 CONTRIBUTE TO THE LARGE NATURAL GAS UTILITY'S MEETING THE  
17 TARGETS SET FORTH IN SUBSECTION (4)(a) OF THIS SECTION. PURSUANT TO  
18 THE RATE-MAKING MECHANISMS ADOPTED UNDER THIS SUBSECTION  
19 (4)(b):

20 (I) QUALIFIED INVESTMENTS AND OPERATING COSTS ASSOCIATED  
21 WITH QUALIFIED INVESTMENTS THAT CONTRIBUTE TO THE LARGE NATURAL  
22 GAS UTILITY MEETING THE TARGETS SET FORTH IN SUBSECTION (4)(a) OF  
23 THIS SECTION MAY BE RECOVERED BY MEANS OF AN AUTOMATIC  
24 ADJUSTMENT CLAUSE; AND

25 (II) COSTS OF PROCURING RENEWABLE NATURAL GAS FROM THIRD  
26 PARTIES THAT CONTRIBUTE TO THE LARGE NATURAL GAS UTILITY MEETING  
27 THE TARGETS SET FORTH IN SUBSECTION (4)(a) OF THIS SECTION MAY BE

1 RECOVERED BY MEANS OF AN AUTOMATIC ADJUSTMENT CLAUSE OR  
2 ANOTHER RECOVERY MECHANISM AUTHORIZED BY RULE.

3 (c) WHEN A LARGE NATURAL GAS UTILITY MAKES A QUALIFIED  
4 INVESTMENT IN THE PRODUCTION OF RENEWABLE NATURAL GAS, THE  
5 COSTS ASSOCIATED WITH THE QUALIFIED INVESTMENT INCLUDE THE COST  
6 OF CAPITAL ESTABLISHED BY THE COMMISSION IN THE LARGE NATURAL  
7 GAS UTILITY'S MOST RECENT GENERAL RATE CASE.

8 (d) BEFORE MAKING A QUALIFIED INVESTMENT IN BIOGAS  
9 PRODUCTION THAT IS UPSTREAM OF CONDITIONING EQUIPMENT, PIPELINE  
10 INTERCONNECTION, GAS CLEANING, OR ELECTRICITY GENERATION FROM  
11 RENEWABLE NATURAL GAS, A LARGE NATURAL GAS UTILITY SHALL  
12 ENGAGE IN A COMPETITIVE BIDDING PROCESS.

13 (e) IF THE LARGE NATURAL GAS UTILITY'S TOTAL INCREMENTAL  
14 ANNUAL COST TO MEET THE TARGETS OF THE LARGE RENEWABLE NATURAL  
15 GAS PROGRAM EXCEEDS TWO PERCENT OF THE LARGE NATURAL GAS  
16 UTILITY'S TOTAL REVENUE REQUIREMENT FOR A PARTICULAR YEAR, THE  
17 LARGE NATURAL GAS UTILITY SHALL NOT MAKE ADDITIONAL QUALIFIED  
18 INVESTMENTS UNDER THE LARGE RENEWABLE NATURAL GAS PROGRAM  
19 FOR THAT YEAR WITHOUT APPROVAL FROM THE COMMISSION.

20 (f) THE TOTAL INCREMENTAL ANNUAL COST TO MEET THE TARGETS  
21 OF THE LARGE RENEWABLE NATURAL GAS PROGRAM MUST ACCOUNT FOR:

22 (I) ANY VALUE RECEIVED BY A LARGE NATURAL GAS UTILITY UPON  
23 RESALE OF RENEWABLE NATURAL GAS, INCLUDING ANY ENVIRONMENTAL  
24 CREDITS THAT THE RENEWABLE NATURAL GAS PRODUCER CHOOSES TO  
25 INCLUDE WITH THE SALE OF THE RENEWABLE NATURAL GAS TO THE LARGE  
26 NATURAL GAS UTILITY; AND

27 (II) ANY SAVINGS ACHIEVED THROUGH AVOIDANCE OF



1 CONVENTIONAL GAS PURCHASES OR DEVELOPMENT, SUCH AS AVOIDED  
2 PIPELINE COSTS OR CARBON COSTS.

3 (5) (a) UPON A FILING BY A SMALL NATURAL GAS UTILITY TO  
4 PARTICIPATE IN THE SMALL RENEWABLE NATURAL GAS PROGRAM ADOPTED  
5 BY RULE BY THE COMMISSION UNDER SUBSECTION (3)(a)(II) OF THIS  
6 SECTION, THE COMMISSION SHALL ESTABLISH A RATE CAP LIMITING THE  
7 SMALL NATURAL GAS UTILITY'S COSTS OF PROCURING RENEWABLE  
8 NATURAL GAS FROM THIRD PARTIES AND QUALIFIED INVESTMENTS IN  
9 RENEWABLE NATURAL GAS INFRASTRUCTURE. THE RATE CAP MUST BE  
10 EXPRESSED AS A PERCENTAGE OF THE SMALL NATURAL GAS UTILITY'S  
11 TOTAL REVENUE REQUIREMENT AS APPROVED BY THE COMMISSION IN THE  
12 SMALL NATURAL GAS UTILITY'S MOST RECENT GENERAL RATE CASE. FOR  
13 THE PURPOSE OF ESTABLISHING A RATE CAP UNDER THIS SUBSECTION  
14 (5)(a), THE COMMISSION SHALL ACCOUNT FOR:

15 (I) ANY VALUE RECEIVED BY THE SMALL NATURAL GAS UTILITY  
16 UPON RESALE OF RENEWABLE NATURAL GAS, INCLUDING ANY  
17 ENVIRONMENTAL CREDITS THAT THE RENEWABLE NATURAL GAS  
18 PRODUCER CHOOSES TO INCLUDE WITH THE SALE OF RENEWABLE NATURAL  
19 GAS TO THE SMALL NATURAL GAS UTILITY; AND

20 (II) ANY SAVINGS ACHIEVED THROUGH AVOIDANCE OF  
21 CONVENTIONAL GAS PURCHASES OR DEVELOPMENT, SUCH AS AVOIDED  
22 PIPELINE COSTS OR CARBON COSTS.

23 (b) (I) A FILING BY A SMALL NATURAL GAS UTILITY UNDER  
24 SUBSECTION (5)(a) OF THIS SECTION MUST INCLUDE, BUT NEED NOT BE  
25 LIMITED TO:

26 (A) A PROPOSAL TO PROCURE A TOTAL VOLUME OF RENEWABLE  
27 NATURAL GAS OVER A SPECIFIC PERIOD; AND

1 (B) IDENTIFICATION OF THE QUALIFIED INVESTMENTS THAT THE  
2 SMALL NATURAL GAS UTILITY MAY MAKE IN RENEWABLE NATURAL GAS  
3 INFRASTRUCTURE.

4 (II) A SMALL NATURAL GAS UTILITY MAY FROM TIME TO TIME  
5 REVISE THE FILING SUBMITTED TO THE COMMISSION UNDER THIS  
6 SUBSECTION (5).

7 (c) COSTS PRUDENTLY INCURRED BY A SMALL NATURAL GAS  
8 UTILITY PURSUANT TO A FILING SUBMITTED UNDER THIS SUBSECTION (5)  
9 MAY BE RECOVERED EITHER IN THE UTILITY'S RATE BASE OR BY MEANS OF  
10 AN AUTOMATIC ADJUSTMENT CLAUSE.

11 (d) WHEN A SMALL NATURAL GAS UTILITY MAKES A QUALIFIED  
12 INVESTMENT IN THE PRODUCTION OF RENEWABLE NATURAL GAS, THE  
13 COSTS ASSOCIATED WITH THE QUALIFIED INVESTMENT INCLUDE THE COST  
14 OF CAPITAL ESTABLISHED BY THE COMMISSION IN THE SMALL NATURAL  
15 GAS UTILITY'S MOST RECENT GENERAL RATE CASE.

16 (6) (a) THE COMMISSION SHALL ADOPT RULES PURSUANT TO  
17 SUBSECTIONS (3) TO (5) OF THIS SECTION NO LATER THAN JULY 31, 2021.

18 (b) THE COMMISSION'S RULES MUST ESTABLISH A RENEWABLE  
19 NATURAL GAS TRACKING AND VERIFICATION PROCESS TO PROVIDE LOCAL  
20 DISTRIBUTION COMPANY END USERS WITH COMPLIANCE DATA. THE  
21 PROCESS MUST ALLOW FOR AN ASSESSMENT OF THE TOTAL AMOUNT OF  
22 RENEWABLE NATURAL GAS PRODUCED AND DISTRIBUTED, INCLUDING  
23 BOTH:

24 (I) SYSTEM GAS THAT IS CONTRACTED FOR BY A LOCAL  
25 DISTRIBUTION COMPANY; AND

26 (II) TRANSPORT GAS THAT IS CONTRACTED FOR BY AN END USER.

27 (c) THE COMMISSION'S RULES MUST ESTABLISH A PROGRAM OF

1 TRADEABLE RENEWABLE NATURAL GAS ENVIRONMENTAL ATTRIBUTE  
2 CREDITS THAT MAY BE USED BY LARGE NATURAL GAS UTILITIES AND  
3 SMALL NATURAL GAS UTILITIES FOR THE SOLE PURPOSE OF COMPLYING  
4 WITH THIS SECTION. THE COMMISSION SHALL CONSULT WITH THE  
5 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT IN THE DESIGN OF  
6 THE CREDIT TRADING PROGRAM. IN NO EVENT SHALL THE COMMISSION  
7 ALLOW ANY RENEWABLE NATURAL GAS ENVIRONMENTAL ATTRIBUTE  
8 CREDITS GENERATED PURSUANT TO THE CREDIT TRADING PROGRAM TO BE  
9 USED FOR ANY PURPOSE OTHER THAN COMPLIANCE WITH THIS SECTION.

10 (7) A MUNICIPALLY OWNED NATURAL GAS UTILITY MAY  
11 IMPLEMENT A RENEWABLE NATURAL GAS PROGRAM SIMILAR TO THE  
12 PROGRAMS DESCRIBED IN THIS SECTION AND, IF SO, SHALL SUBMIT A  
13 STATEMENT TO THE COMMISSION TO DEMONSTRATE THAT THE UTILITY HAS  
14 DONE SO. ANY SUCH STATEMENT IS FOR INFORMATIONAL PURPOSES ONLY  
15 AND IS NOT SUBJECT TO APPROVAL BY THE COMMISSION.

16 **SECTION 2. Act subject to petition - effective date -**  
17 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
18 the expiration of the ninety-day period after final adjournment of the  
19 general assembly (August 5, 2020, if adjournment sine die is on May 6,  
20 2020); except that, if a referendum petition is filed pursuant to section 1  
21 (3) of article V of the state constitution against this act or an item, section,  
22 or part of this act within such period, then the act, item, section, or part  
23 will not take effect unless approved by the people at the general election  
24 to be held in November 2020 and, in such case, will take effect on the  
25 date of the official declaration of the vote thereon by the governor.

26 (2) This act applies to conduct occurring on or after the applicable  
27 effective date of this act.