



Legislative
Council Staff

Nonpartisan Services for Colorado's Legislature

HB 20-1225

FINAL FISCAL NOTE

Drafting Number:	LLS 20-0841	Date:	August 19, 2020
Prime Sponsors:	Rep. Weissman; Catlin Sen. Fenberg; Coram	Bill Status:	Signed into Law
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Bill Topic: **COOP ELECTRIC UTILITIES REASONABLE RATES ENERGY STORAGE**

Summary of Fiscal Impact:

<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

This bill clarifies the authority of the Public Utilities Commission in matters related to wholesale electric cooperatives and retail cooperative electric associations. It creates a potential state workload impact beginning in the current FY 2019-20.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the enacted bill.

Summary of Legislation

The bill prohibits a wholesale electric cooperative from subjecting the installation, interconnection, or use of an energy storage system by a retail cooperative electric association to any unjust, unreasonable, discriminatory, or preferential charge, classification, contract, fare, fee, practice, rate, regulation, rule, schedule, service, or toll.

The bill also makes the withdrawal of a retail cooperative electric association from membership in a wholesale electric cooperative a matter of statewide concern for which the Public Utilities Commission (PUC) has authority to adjudicate complaints. In a withdrawal, a wholesale electric cooperative must act in good faith and fair dealing, cannot impose unreasonable contractual terms in relation to the withdrawal, and must facilitate maintaining the retail cooperative electric association's native electric load priority for accessing firm transmission capacity.

State Expenditures

Beginning in the current FY 2019-20, the bill may increase workload for the PUC in the Department of Regulatory Agencies to the extent it is required to adjudicate complaints related to the withdrawal of a retail cooperative electric association from membership in a wholesale electric cooperative. The bill also clarifies that the PUC may adjudicate complaints related to charges between wholesale and retail cooperative electric utilities. These legal proceedings are assumed to be accomplished within existing appropriations. If additional appropriations are required, this will be addressed through the annual budget process.

Effective Date

The bill was signed into law by the Governor and took effect March 27, 2020.

State and Local Government Contacts

Law Regulatory Agencies