



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Final Fiscal Note

Drafting Number:	LLS 21-0514	Date:	June 28, 2021
Prime Sponsors:	Rep. McKean Sen. Woodward	Bill Status:	Signed into Law
		Fiscal Analyst:	Christina Van Winkle 303-866-6289 Christina.VanWinkle@state.co.us

Bill Topic:	DEFINE PUMPED HYDROELECTRICITY AS RENEWABLE ENERGY
--------------------	---

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 removes an existing restriction on pumped hydroelectricity generation as a source of recycled energy, which is included in the definition of an eligible energy resource under the renewable energy standard statute. It will minimally increase state workload in FY 2021-22 only.

Appropriation Summary:	No appropriation is required.
-------------------------------	-------------------------------

Fiscal Note Status:	This fiscal note reflects the enacted bill.
----------------------------	---

Summary of Legislation

This bill removes an existing restriction on pumped hydroelectricity generation as a source of recycled energy, which is included in the definition of “eligible energy resource” under the renewable energy standard statute, so long as the pumped hydroelectricity generation:

- does not combust fossil fuel to pump water;
- is not located on a natural waterway;
- includes measures to prevent fish mortality in the facility;
- does not impact any decreed instream flow; and
- does not cause violations of state water quality standards.

Background

Under the renewable energy standard, each electricity provider in the state of Colorado, other than municipally-owned utilities that serve 40,000 customers or fewer, is required to obtain a minimum percentage of their electricity from eligible energy resources. Eligible energy resources include recycled energy and renewable energy resources. Under current law, pumped hydroelectricity generation is excluded from the definition of recycled energy and therefore does not contribute to an

electricity provider's minimum percentage requirements under the renewable energy standard. This bill removes that exclusion.

State Expenditures

This bill will minimally increase workload for the Department of Regulatory Affairs. The bill will require a minor change to the Public Utility Commission's rules regarding the renewable energy standard, but the change can be made in the ordinary course of business.

Effective Date

The bill was signed by the Governor on April 22, 2021, and takes effect on September 7, 2021, assuming no referendum petition is filed.

State and Local Government Contacts

Colorado Energy Office
Law

Information Technology
Regulatory Agencies