A BILL FOR AN ACT

CONCERNING A REQUIREMENT THAT ENERGY UTILITIES NOTIFY THEIR CUSTOMERS OF CERTAIN SEVERE WEATHER EVENTS.

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 an electric or gas utility to determine if a forecasted severe weather event (event) warrants notification to its customers located in the path of the event. If the utility determines notification is warranted, the utility shall send notification to its customers to inform customers of the event, provide specific suggestions for how to conserve energy, alert customers to the potential electricity or...
fuel price increase resulting from the event, and provide customer service contact information for the utility. A utility shall send notification to customers by 2 or more types of immediate communication, including text messages or alerts, e-mails, or telephone calls. Additionally, the utility may issue a public service announcement on one or more television or radio stations.

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

SECTION 1. In Colorado Revised Statutes, add 40-3-119 as follows:

40-3-119. Customer notification of severe weather events - definitions. (1) As used in this section, unless the context otherwise requires:

(a) "Directors" means the director of the Office of the Utility Consumer Advocate appointed pursuant to Section 40-6.5-102 (1) and the director of the Public Utilities Commission appointed pursuant to Section 40-2-103.

(b) "Notification" means a communication that a utility sends to some or all of its customers to alert customers that a severe weather event is forecasted in one or more counties in the utility's service territory, which communication may be sent by any two or more of the following methods:

(I) Text message;
(II) Text alert;
(III) E-mail;
(IV) Instant message;
(V) Telephone call; or
(VI) Voice mail message.
(c) "SEVERE WEATHER EVENT" IS A WEATHER EVENT FORECASTED BY ONE OR MORE REPUTABLE WEATHER FORECASTING SOURCES THAT IS MORE LIKELY THAN NOT TO RESULT IN AN INCREASED PRICE PER UNIT FOR THE COMMODITY OR FUEL SOURCE THAT THE UTILITY PROVIDES ITS CUSTOMERS IN AN AMOUNT OF FIFTEEN PERCENT OR MORE PER UNIT PRICE.

(d) "UTILITY" MEANS AN ELECTRIC OR GAS UTILITY IN THE STATE.

(2) (a) (I) ON AND AFTER JULY 1, 2022, IF A UTILITY DETERMINES THAT A SEVERE WEATHER EVENT IS FORECASTED FOR ONE OR MORE COUNTIES OF THE STATE THAT THE UTILITY SERVES, OR A COUNTY IN ANOTHER STATE THAT BORDERS A COUNTY THAT THE UTILITY SERVES IN THE STATE, THE UTILITY SHALL PROVIDE NOTIFICATION OF THE SEVERE WEATHER EVENT WITHIN TWENTY-FOUR HOURS AFTER MAKING ITS DETERMINATION. THE UTILITY MAY EITHER LIMIT NOTIFICATION TO ITS CUSTOMERS IN THE COUNTY OR COUNTIES FORECASTED TO BE AFFECTED BY THE SEVERE WEATHER EVENT OR PROVIDE NOTIFICATION TO ALL OF ITS CUSTOMERS. IF THE UTILITY CHOOSES TO PROVIDE NOTIFICATION TO ALL OF ITS CUSTOMERS, THE UTILITY MUST SPECIFY WHICH COUNTY OR COUNTIES ARE FORECASTED TO BE AFFECTED BY THE SEVERE WEATHER EVENT.

(II) IN ADDITION TO SENDING NOTIFICATION PURSUANT TO SUBSECTION (2)(a)(I) OF THIS SECTION, A UTILITY MAY PROVIDE FURTHER NOTICE TO ITS CUSTOMERS OF A SEVERE WEATHER EVENT BY ISSUING A TELEVISION OR RADIO PUBLIC SERVICE ANNOUNCEMENT MADE ON ONE OR MORE STATIONS THAT BROADCAST IN THE COUNTY OR COUNTIES FOR WHICH THE SEVERE WEATHER EVENT IS FORECASTED.

(b) IN MAKING NOTIFICATIONS PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION, A UTILITY SHALL MAINTAIN ITS CUSTOMERS' PERSONAL
CONTACT INFORMATION IN A SECURE MANNER AND SHALL NOT SELL TO
ANY THIRD PARTY A CUSTOMER'S PERSONAL CONTACT INFORMATION
OBTAINED FOR PURPOSES OF THIS SECTION.

(3) NOTIFICATIONS THAT A UTILITY SENDS TO CUSTOMERS
PURSUANT TO THIS SECTION MUST INFORM CUSTOMERS OF THE
FOLLOWING:

(a) DETAILS ABOUT THE SEVERE WEATHER EVENT FORECASTED,
INCLUDING INFORMATION REGARDING THE TIME, DAY, AND GEOGRAPHIC
AREAS FOR WHICH THE SEVERE WEATHER EVENT IS FORECASTED;

(b) SPECIFIC SUGGESTIONS FOR HOW CUSTOMERS CAN CONSERVE
ENERGY LEADING UP TO, DURING, AND IMMEDIATELY AFTER THE SEVERE
WEATHER EVENT, INCLUDING SUGGESTIONS REGARDING THERMOSTAT
SETTINGS, USE OF ENERGY-INTENSIVE APPLIANCES, AND HOME
WEATHERIZATION;

(c) INFORMATION REGARDING THE ANTICIPATED PER-UNIT PRICE
INCREASE FOR THE COMMODITY OR FUEL SOURCE THAT THE UTILITY
PROVIDES ITS CUSTOMERS, INCLUDING INFORMATION ON HOW THE
ANTICIPATED PER-UNIT PRICE INCREASE WOULD AFFECT CUSTOMERS IN
THE FUTURE; AND

(d) THE UTILITY'S CUSTOMER SERVICE CONTACT INFORMATION.

SECTION 2. Safety clause. The general assembly hereby finds,
determines, and declares that this act is necessary for the immediate
preservation of the public peace, health, or safety.