

CHAPTER 194

PUBLIC UTILITIES

SENATE BILL 96-138

BY SENATORS Feeley and Tebedo;
also REPRESENTATIVES Foster and Schauer.

AN ACT

CONCERNING REVIEW OF ACCESS TO RETAIL NATURAL GAS DISTRIBUTION TRANSPORTATION SERVICES, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.

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

SECTION 1. Article 2 of title 40, Colorado Revised Statutes, 1993 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

40-2-121. Transportation of natural gas report - legislative declaration.

(1) THE GENERAL ASSEMBLY HEREBY FINDS, DETERMINES, AND DECLARES THAT NONDISCRIMINATORY ACCESS TO RETAIL NATURAL GAS DISTRIBUTION TRANSPORTATION SERVICES AND SUPPLY CHOICES IS IN THE PUBLIC INTEREST. THE GENERAL ASSEMBLY FURTHER DECLARES THAT ALL CUSTOMERS IN THE STATE OF COLORADO SHOULD HAVE READY ACCESS TO COMPETITIVELY-PROVIDED NATURAL GAS AND ASSOCIATED SERVICES.

(2) (a) IN ORDER TO DETERMINE THE AVAILABILITY OF SUCH SERVICES AND SUPPLY CHOICES TO ALL CUSTOMERS IN THE STATE, THE LEGISLATIVE COUNCIL SHALL, WITHIN ONE HUNDRED EIGHTY DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION, CONTRACT WITH A PRIVATE PARTY TO STUDY THE AVAILABILITY OF COMPETITIVELY-PROVIDED NATURAL GAS AND ASSOCIATED SERVICES AND SUPPLY CHOICES TO ALL CUSTOMERS IN COLORADO. THE STUDY, AT A MINIMUM, SHALL EXAMINE:

(I) THE EXTENT OF TRANSPORTATION ON REGULATED DISTRIBUTION AND TRANSPORTATION SYSTEMS, INCLUDING THE TYPES OF CUSTOMERS AND VOLUMES;

(II) THE EXISTENCE AND IDENTIFICATION OF ANY BARRIERS THAT PREVENT OR REDUCE READY ACCESS TO NATURAL GAS SUPPLY AND ASSOCIATED SERVICES BY ALL CUSTOMERS;

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

(III) THE PROVISION OF ASSURED AND RELIABLE NATURAL GAS SUPPLY, TAKING INTO CONSIDERATION BACKUP SUPPLY CONTRACTS AND THE SOPHISTICATION OF THE CUSTOMER; AND

(IV) THE OPPORTUNITIES FOR DISCRIMINATORY OR CROSS-SUBSIDIZED PRICING.

(b) THE PRIVATE PARTY CONDUCTING THE STUDY SHALL GIVE NATURAL GAS SUPPLIERS, NATURAL GAS CUSTOMERS, THE PUBLIC UTILITIES COMMISSION, AND OTHER INTERESTED PARTIES AN OPPORTUNITY TO PROVIDE INFORMATION WHICH MAY BE INCLUDED IN THE STUDY.

(c) THE LEGISLATIVE COUNCIL SHALL REPORT THE RESULTS OF THE STUDY AND PROVIDE A RECOMMENDED ACTION PLAN TO THE GENERAL ASSEMBLY ON OR BEFORE JANUARY 15, 1997.

(3) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 1998.

SECTION 2. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the public utilities commission fixed utility fund not otherwise appropriated, to the legislative council, for the fiscal year beginning July 1, 1996, the sum of fifty-four thousand dollars (\$54,000), or so much thereof as may be necessary, for the implementation of this act.

(2) The general assembly may appropriate so much as is necessary from the public utilities commission fixed utility fund to the legislative council for the purposes of completing the report outlined in section 40-2-121, Colorado Revised Statutes.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 23, 1996