

## CHAPTER 356

---

**PUBLIC UTILITIES**

---

**HOUSE BILL 09-1345**

BY REPRESENTATIVE(S) Solano, Casso, Fischer, Labuda, Primavera, Schafer S., Todd;  
also SENATOR(S) Schwartz, Carroll M., Hodge, Kester, Newell, Penry, Shaffer B., Williams.

**AN ACT**

**CONCERNING INTEGRATED PLANNING FOR THE CONSTRUCTION OF ELECTRIC TRANSMISSION FACILITIES IN COLORADO, AND, IN CONNECTION THEREWITH, DIRECTING THE PUBLIC UTILITIES COMMISSION TO COLLECT INFORMATION FROM OWNERS AND OPERATORS OF TRANSMISSION INFRASTRUCTURE AND REPORT ITS FINDINGS TO THE GENERAL ASSEMBLY.**

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

**SECTION 1. Legislative declaration.** The general assembly finds, determines, and declares that coordinated and integrated planning of the construction of electric transmission lines is critical to the development of Colorado's vast renewable energy resources and to the improvement of the Western regional power grid, benefiting all Coloradans. Further, the state's long-term economic viability depends upon continuing improvements in the efficiency of state and regional energy markets. The general assembly therefore finds that the public utilities commission should confer with all owners and operators of transmission facilities in Colorado and with affected stakeholders and report to the general assembly on the integrated intermediate-term and long-term plans for improving transmission infrastructure in Colorado and the region.

**SECTION 2.** Article 4 of title 40, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**40-4-117. Integrated transmission facility planning - review by commission - report - repeal.** (1) ON OR BEFORE JULY 1, 2010, THE COMMISSION SHALL REPORT TO THE GENERAL ASSEMBLY ON THE INTEGRATED TRANSMISSION PLANS OF OWNERS AND OPERATORS OF TRANSMISSION FACILITIES IN COLORADO.

(2) THE COMMISSION'S REPORT SHALL ADDRESS:

---

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

(a) THE ADEQUACY OF THE INTEGRATED TRANSMISSION PLAN;

(b) WHETHER THE INTEGRATED TRANSMISSION PLAN IS APPROPRIATELY COORDINATED WITH TRANSMISSION PLANS OF OTHER STATES AND TRANSMISSION OPERATORS IN THE REGION; AND

(c) WHETHER FUTURE LEGISLATIVE ACTION IS REQUIRED TO ENSURE CONTINUED PROGRESS WITH RESPECT TO THE TRANSMISSION SYSTEM IN COLORADO.

(3) IN PREPARING ITS REPORT, THE COMMISSION SHALL:

(a) RELY UPON ANY EXISTING OR PENDING TRANSMISSION PLANS THAT ARE SCHEDULED TO BE COMPLETED BY DECEMBER 31, 2009, RATHER THAN REQUIRING THE PREPARATION OF NEW PLANS AS A SUBSTITUTE FOR SUCH EXISTING OR PENDING PLANS;

(b) CONDUCT HEARINGS AND CONVENE WORKSHOPS AS IT DEEMS NECESSARY TO COMPILE AND INTEGRATE SUCH TRANSMISSION PLANNING INFORMATION;

(c) SEEK INPUT FROM A BROAD GROUP OF STAKEHOLDERS, INCLUDING INVESTOR-OWNED UTILITIES, MUNICIPAL UTILITIES, COOPERATIVE ELECTRIC ASSOCIATIONS, INCLUDING GENERATION AND TRANSMISSION ASSOCIATIONS, FEDERAL TRANSMISSION PROVIDERS, INDEPENDENT TRANSMISSION OWNERS, INDEPENDENT ENERGY PROVIDERS, RENEWABLE ENERGY DEVELOPERS, LARGE ELECTRIC CONSUMERS, REPRESENTATIVES OF LOCAL GOVERNMENT, ENVIRONMENTAL ADVOCATES, AND CONSUMER REPRESENTATIVES; AND

(d) CONFER WITH APPROPRIATE FEDERAL AGENCIES AND WITH OTHER STATE UTILITY REGULATORS IN THE REGION.

(4) ON OR BEFORE NOVEMBER 1, 2009, THE COMMISSION SHALL REPORT TO THE GENERAL ASSEMBLY ON ITS PROGRESS IN PREPARING THE REPORT AND SHALL IDENTIFY ANY IMPEDIMENTS TO THE COMPLETION OF THE REPORT.

(5) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO LIMIT OR EXPAND THE COMMISSION'S EXISTING AUTHORITY CONCERNING THE REGULATION OF TRANSMISSION FACILITIES.

(6) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2011.

**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: June 1, 2009