TO: **Senate Bill Sponsors:** Senators Marc Snyder and Cleave Simpson

House Bill Sponsors: Representatives Jarvis Caldwell and Amy Paschal

Members of the Senate Transportation and Energy Committee

Chair Senator Lisa Cutter
Vice Chair Senator Matt Ball
Senator Mark Baisley
Senator Marc Catlin
Senator Tony Exum
Senator William Lindstedt
Senator Kyle Mullica
Senator Byron Pelton
Senator Tom Sullivan

FROM: The Colorado Renewable Energy Society (CRES)
DATE: March 3, 2026
RE: SB26-022 – "Challenges Meeting 2030 Emissions Reduction Goals"

Colorado Renewable Energy Society (CRES) urges you to **oppose SB26-022,** "Challenges Meeting 2030 Emissions Reductions Goals," when it is heard in your committee.

- This bill would reward poor **planning** and inaction while setting up Colorado Springs for another debacle that would parallel the Martin Drake coal plant's fate.
- This bill would raise **costs** and customer energy bills, as maintaining coal plants is more expensive than deploying new renewables and storage.
- This bill would exacerbate **health** issues from local air pollution and climate change.

On planning: Colorado Springs has had bad experiences in trying to prolong the life of coal plants. Colorado Springs Utilities (CSU) contracted with Neumann Systems Group to install emissions scrubbing systems at the Martin Drake coal plant in the 2010s. However, the initial cost of $80 million ballooned to $200 million, the technology had a questionable impact on emissions, and the process led to a lawsuit over "breach of fiduciary duty" by CSU in signing the contract. Martin Drake also suffered a fire in 2014 that led to 10 months of shutdown or reduced operations and cost $20 million, plus another fire in 2019 that again hampered its reliability. These fiascos, paired with recognition of renewables' favorable economics and Colorado's goal of cutting electric

utilities' greenhouse gas emissions 80% by 2030 relative to 2005 levels, led to the CSU Board voting in 2020 to move Martin Drake's shutdown from 2035 to 2023—as well as establishing that it would close its Ray D. Nixon coal plant before 2030.

While CSU did shut down Martin Drake in 2023, it has now brought SB26-022 to the Legislature, which would allow it to keep Ray Nixon open past its agreed-upon closure date. The bill would also allow other co-op and municipal utilities to take advantage of loopholes that would similarly delay their transition to renewable, clean energy. Must we once again keep expensive coal plants running when we have cheaper, cleaner, safer, and more reliable options available such as solar, wind, and battery storage?

All other utilities in Colorado have submitted plans to comply with Colorado statutes requiring an 80% reduction in climate pollution by 2030. CSU has never submitted a sufficiently detailed plan for moving toward that goal. If CSU needs more time to comply with an 80% reduction and retire Ray Nixon, it should put together a workable plan and then come back to the Legislature with a clear timetable that will allow it to meet that goal, rather than asking for a blank check through SB26-022. Passage of the bill would connote lack of seriousness and commitment to the emissions goals and Colorado law, not only for Colorado Springs but also for communities throughout the state.

On cost: Continuing with coal is fiscally irresponsible and one of the most expensive options for meeting the electricity demands of CSU and the region. An Applied Economics Clinic report from December 2025 looked at multiple scenarios for replacing the Ray Nixon coal plant through 2049. It found that continued operations with coal is "not the cheapest option under any cost metric" and that a "Full Clean Replacement" scenario that retires Ray Nixon in 2030 and replaces its services with wind, solar, and battery storage would be the lowest-cost option across most cost metrics. The report also states that delaying the plant's retirement "increases long-term costs, in part because it causes CSU to miss out on federal tax credits for wind and solar replacements." Separately, a 2023 Energy Innovation study found that new local solar would be more than 50% cheaper than continuing to operate Ray Nixon—with costs staying lower even when including enough battery storage to match the plant's capacity—and a 2025 study found Ray Nixon's costs increased 18% from 2021 to 2024, showing it is getting more expensive over time.

The Applied Economics report also found that continuing to burn coal until 2034 and then converting to a small modular nuclear reactor (SMR) is "the most expensive option by far under all cost measures and scenarios." Nuclear power plant projects have a history of delays and massive cost overruns, with a recent study finding approximately 90% of nuclear projects have had cost overruns, with costs being more than double the initial estimate on average and projects being delayed by nearly 3 years on average (while solar projects have had lower-than-expected costs and 1-month delays on average). The most recent nuclear power plants in the U.S.—Vogtle 3 and 4 in Georgia—demonstrate this clearly, as they required an extra 8 years and $22 billion than expected at the time of their initial approval. Despite the hype, SMRs remain unproven, subject to many of the same underlying challenges (e.g., need for long-term

regulatory stability, lack of trained technicians, nuclear waste disposal), and have followed similar trends as conventional large-scale nuclear. For example, an SMR project saw costs increase 75% to $9.3 billion before the Utah Associated Municipal Power Systems terminated the contract in 2023.

Colorado already had a bad experience with nuclear technology as evidenced by the St. Vrain debacle, which is still costing ratepayers for the management of radioactive waste from the project that failed in 1989. Nuclear power plants incur so much capital cost that they must run at a very high capacity factor, while the Colorado grid's high solar and wind penetration model needs rapidly responsive battery storage and a modest amount of gas generation to support the transition to a fully decarbonized system.

On health: SB26-022 would undermine state regulation of utilities by the Air Quality Control Commission and Air Pollution Control Division by preempting their authority, and it would contribute to worse health outcomes for Coloradans all along the Front Range.

Coal power plants like CSU's Ray Nixon are particularly damaging to local air quality and public health outcomes. They emit various air toxics like mercury, which cause neurological issues, as well as carcinogens like benzene and arsenic. They contribute to local ground-level ozone pollution, which leads to respiratory ailments like asthma, cardiovascular issues like heart attacks, and premature deaths more broadly, with this being a major issue in Colorado—the EPA classifies a 9-county Front Range area (including Adams, Arapahoe, Boulder, Broomfield, Denver, Douglas, Jefferson, and portions of Weld and Larimer countries) that is home to two-thirds of Colorado's population as a "severe" non-attainment area for this pollutant. Ray Nixon is located in El Paso County, but this county is adjacent to the non-attainment area (with its pollution contributing to that area's air quality issues), and the American Lung Association has given El Paso County an "F" grade for high ozone days in assessing its air quality.

Coal combustion also emits more CO2 per unit energy than other fossil fuels, and the resultant climate-warming impacts are expected to take an enormous toll—for example, the Colorado Fiscal Institute projects costs from 2025 to 2050 on the order of $36-37 billion in Colorado due to climate change damages and resilience investments. Moving to a decarbonized electricity system in Colorado is essential even as the current EPA baselessly claims that greenhouse gases do not endanger human health. This assertion denies overwhelming evidence that such pollutants contribute to rising temperatures and sea levels, more frequent and intense floods, wildfires, and droughts, and the increased prevalence and spread of vector-borne diseases—all of which have a tremendously harmful effect on human health.

Summary: Please vote to **oppose** this bill which would reward CSU for their poor planning, put more upward pressure on energy bills, and penalize the people of Colorado by continuing to endanger their health with ongoing exposure to coal combustion pollution and worsened climate change impacts. We further urge you to

vote to oppose this bill even if it was amended to limit its language to CSU rather than including Colorado's other co-op and municipal utilities.

Thank you for your consideration and service.

Sincerely,

Vincent P. Calvano
CRES Policy Committee
Colorado Renewable Energy Society

The Colorado Renewable Energy Society drives environmental, social, and economic benefits for Colorado by promoting renewable energy and energy efficiency. CRES and its local chapters provide education, policy advocacy, and community engagement that accelerate the adoption of all forms of renewable energy, energy efficiency, high-performance building, energy storage, and emerging technologies that will help Colorado achieve 100% renewable energy. CRES is a statewide, non-partisan, non-profit, 501(c)3 membership organization.

Dear Members of the Senate Transportation and Environment Committee,

Physicians for Social Responsibility Colorado (PSR Colorado) urges you to **oppose SB26-022,** "Challenges Meeting 2030 Emissions Reductions Goals," when it is heard in your committee.

In 2020, Colorado Springs Utility agreed to close its Nixon coal-fired power plant by the end of 2029, as part of the utility's poorly detailed plan to reduce CO2 emissions by 80% by 2030, in accordance with state statute. In return for that agreement, Colorado Springs Utility was not required to install pollution control devices for nitrogen oxides on the plant, as previously mandated. Now Colorado Springs Utility has brought a bill to the legislature which would allow it to keep the coal plant open past this agreed upon closure date, and has obtained bipartisan support for the bill alleging that its provisions will help with energy reliability and cost issues for the energy customers that it serves.

Why is support for this bill misguided and bad for the people of Colorado?

First, the bill will allow the most polluting type of power plant to continue to operate until as late as 2040. As PSR's report, Fueling Sickness, clearly shows, all burning of fossil fuels produces hazardous air pollutants, including PM2.5, NOx, SO2, ozone and toxic metals. Research conducted by Harvard University found that these pollutants contribute to as many as 350,000 excess deaths per year in the US. However, burning coal is especially deadly. A 2025 report from Natural Resources Defense Council shows that burning coal is the largest source of mercury emissions in the US, which can lead to brain and development issues in children as well as cardiovascular, fine motor and memory problems for adults. Coal plants such as Nixon also belch carcinogens such as benzene and arsenic from their smoke stacks. The nitrogen oxides that the plant continues to emit without the control devices previously mandated by the state contribute to the Front Range's severe ozone problem.

Second, the bill will allow not only the Colorado Springs Utility but other coop and municipal utilities to take advantage of loopholes that would slow down their conversion to renewable, clean energy. And even if a proposed amendment to narrow the scope to only Colorado Springs is adopted, the bill would undermine state regulation of utilities by the Air Quality Control Commission and the Air Pollution Control Division. Moving to 100% renewable energy

production in Colorado is essential even as our federal government is trying to assert that greenhouse gases do not endanger human health—an assertion which tries to deny the clear fact that increasing temperatures, disastrous and expensive floods, wildfires, droughts, rising sea levels and spreading vector-borne diseases all have a tremendously bad effect on human health (See Fueling Sickness chapter on Climate Change). Given that plants burning coal produce more CO_2 per unit of energy than plants burning other types of fossil fuels, it is high time for Colorado to be coal-free as we move toward our goal of 100% renewable generation by 2050.

Lastly, continuing to burn coal is one of the most expensive options for power plants like Ray Nixon. An Applied Economics Report from December 2025 looked at multiple scenarios for powering the plant through 2049. Depending on the Cost metrics used (which consider the availability of tax credits for wind and solar, transmission costs, capital costs, and required emissions controls), continuing to run the plant using coal as fuel is the second most expensive option after the options of continuing to burn coal until 2034 and then converting to a small nuclear reactor. The report also shows that delaying the retirement of coal is foolhardy, as it causes the utility to miss out on current wind and solar credits.

All other utilities in Colorado have submitted plans to comply with Colorado statutes requiring 80% reduction in fossil fuel use by 2030 under the same conditions. Colorado Springs Utility has never submitted a detailed plan for moving toward that goal. If CSU needs more time to comply with an 80% reduction and shut down their coal plant, they should put together a workable plan and then come back to the Legislature with a clear time table that will allow them to meet that goal, rather than asking for a blank check through their proposed bill SB26-022.

Please vote to **oppose** this bill which would reward Colorado Springs Utility for their poor planning and penalize the people of Colorado by continuing to endanger their health with ongoing exposure to coal combustion pollution.

Thank you for your consideration and service,

Jan Douglas, M.D., Member Board of Directors, Physicians for Social Responsibility Colorado
Ken Lichtenstein, M.D., PSR Colorado Co-Chair
Beth Gillespie, M.D., M.P.H., PSR Colorado Co-Chair
Velma Campbell, M.D., PSR Colorado Board Member
Kristen Autret, MPH, PSR Colorado Secretary
Emma Shelby, B.A., PSR Colorado Board Member
David Mintzer, M.D., PSR Colorado Board Member
Fernando Fuentes M.D., PSR Colorado Board Member

Senate Transportation & Energy

04/29/2026

SB26-022 Challenges Meeting 2030 Emissions Reduction Goals

Typed Text of Testimony Submitted

Name, Position, Representing	**Typed Text of Testimony**
Dave Gardner Against themself	I'm a residential customer of Colorado Springs Utilities, and I strongly oppose this bill. It will shift the climate disruption costs of burning coal onto the community at large and our children and grandchildren. Even if this bill provides cheaper electricity in the short run (which I question), the tradeoff in climate disruption and health costs is not worth it. I would rather pay a little more (if that's really the case) to stop burning coal as soon as possible. CSU has had plenty of notice and plenty of time to get the Nixon power plant closed by 2030.
Haley Northrup Against themself	My name is Haley Northrup and I live in Palmer Lake, Colorado in El Paso County, Senate District 9 and House District 20. I urge lawmakers to vote "No" on HB26-022 for two reasons: affordability for ratepayers and accountability for utilities. Colorado Springs Utilities planned to close the Nixon coal plant in Fountain, CO by 2030 to reduce its greenhouse gas emissions to comply with Colorado state law. Unfortunately, Colorado Springs Utilities wants to go back on this promise and keep the Nixon coal plant open longer than planned. CSU says delaying the closure of Nixon will maintain â€œaffordabilityâ€ for the community. However, it will actually cost ratepayers more money! The notion that running an old coal is more affordable than alternative electricity sources is completely false. Nixon is an aging coal plant that is increasingly expensive to run and maintain. A Sierra Club study found that delaying the closure of Nixon would be one of the most expensive options to serve the electricity needs of Colorado Springs residents, especially because CSU would miss out on expiring federal tax credits. An old, expensive coal plant means, you guessed it, higher costs for ratepayers. The Nixon coal plant could be replaced with renewables and battery storage which are now the cheapest sources of new electricity in the

	U.S. beating out natural gas and definitely beating out coal. Renewables are already cheaper, faster to build and reliable sources of electricity and this is the direction CSU should be headed. CSU has not provided a clear plan on how they will reach the state established emissions reduction goals by 2030 or later so giving them more runway without a clear plan is giving them a free pass and not holding them accountable. While this bill applies to other municipal and coop utilities, none of the other utilities have requested for this extension as CSU has. How are other small municipal utilities and co-ops able to meet these goals while CSU is lagging behind? Let's hold utilities accountable for their emissions and meeting state regulations already established. That is why I think lawmakers should vote "no" on HB26-022 to prioritize a lower costs for ratepayers and hold CSU and other utilities accountable for meeting the regulations passed by state lawmakers.

Re: **SB26-022 Utility Climate Goal Backsliding** – April 29, 2026

To: Senate Sponsors Mark Snyder Cleave Simpson
House Sponsors Jarvis Caldwell Amy Paschal
Senate Transportation & Energy Committee Members:
Senators Lisa Cutter, Matt Ball, Mark Baisley, Marc Catlin, Tony Exum, William Lindstedt, Kyle Mullica, Byron Pelton, Tom Sullivan

Thank you for the good work towards reducing the pollution in our communities and towards meeting emission goals to reduce climate change impacts on our neighbors.

I advocate for the reduction of emissions that are causing our communities to be polluted in the vast Denver/Front Range Severe Ozone Pollution Area, and for the reduction of emissions from burning fossil fuels that cause climate change and contribute to the Severe Ozone Pollution.

Background on the Severe Ozone Pollution - Denver/Front Range Non-Attainment area:

- More air pollution effects more people and costs our communities – in 2022 the bad air we breathe went from 'serious' to 'severe' according to the EPA and the State Air Quality Control Commission (AQCC).
- About 4 million people live and breathe the pollution in the Severe Ozone non-attainment area – about 80% of states population - 9 counties including: Denver, Arapahoe, Jefferson, Adams, Douglas, Boulder, Broomfield, Larimer, Weld.
- This pollution causes breathing problems, asthma, lung damage, cardiac issues, heart attacks, and premature deaths, and represents a terrible cost to our communities.
    - Colorado Fiscal Institute (CFI) in the 2023 Clearing the Air Report estimated additional health related costs and lost workdays in Colorado to **range $480 million-$1 billion per year**.
    - CFI in the 2026 Colorado Climate Damages and Adaptation Cost Report estimated historical Colorado costs attributable to excess heat (1999-2024) to be about $200 million per year and estimated future expected heat related climate attributable death costs to range from **$730 million to $830 million per year**.
    - CFI in their 2026 report estimated that future Colorado expected climate related costs to be **roughly $1.5 billion per year**.

As a private citizen I urge you to vote against SB26-022:

1. This bill would raise **costs and customer energy bills**, maintaining coal/fossil fuel burning plants is more expensive than deploying new renewables and storage.
2. This bill would **exacerbate health issues and health costs** from local air pollution and climate change. Our communities deserve clean air and are choking under the avoidable costs of health care.
3. Building and maintaining renewable energy sources will also increase the number of jobs and that is good for the community.

Sincerely,

Ted Wells
President ClimateUnified.org