

Be it Enacted by the People of the State of Colorado:

Application of colorado's renewable energy standard equally to all utilities

SECTION 1. Legislative declaration: It is the intent of the people of this state to ensure that colorado's Colorado's renewable energy standard is applied equally to all colorado Colorado utilities and to ensure that all colorado Colorado communities can benefit from colorado's Colorado's abundant clean energy resources.

Be it enacted by the people of the state of colorado:

~~Section 1. An amendment to the colorado revised statutes ensuring that all colorado providers of retail electric service are treated equally and concerning incentives for the installation of new distributed renewable energy generation facilities in colorado, and, in connection therewith, increasing the target percentages under the electric utility portfolio standard to encourage colorado utilities to generate three percent of their retail electricity sales from distributed renewable sources by the year 2020.~~

~~The introductory portion to 40-2-124 (1) an amendment to the colorado revised statutes concerning renewable energy standards for providers of retail electric service, colorado revised statutes, is amended to read:~~

SECTION 2. The introductory portion to 40-2-124 (1), Colorado Revised Statutes, is amended to read:

40-2-124. Renewable energy standard - definitions – net metering - legislative declaration. (1) ~~each~~ Each provider of retail electric service in the state of ~~colo~~ Colorado ~~other than municipally owned utilities that serve forty thousand customers or fewer,~~ shall be considered a qualifying retail utility. Each qualifying retail utility, ~~with the exception of cooperative electric associations that have voted to exempt themselves from commission jurisdiction pursuant to section 40-9.5-104 and municipally owned utilities,~~ shall be subject to the rules established under this article by the commission. NO PROVIDER OF RETAIL ELECTRIC SERVICE IN THE STATE OF ~~COLORADO~~ COLORADO MAY OPT OUT OF THE PROVISIONS OF SECTION 40-2-124 WITHOUT APPROVAL FROM ~~THE COLORADO PUBLIC UTILITIES THE~~ COMMISSION. No additional regulatory authority of the commission other than that specifically contained in this section is provided or implied. In accordance with article 4 of title 24, C.R.S., ~~on or before october 1, 2007,~~ the commission shall revise or clarify existing rules to establish the following:

SECTION 23. Severability. If any provision of this ~~article~~ section or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this article that can be given effect without the invalid provision or application, and to this end the provisions of this article are severable.

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Colorado Secretary of State

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