

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

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

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 provider of retail electric service in the state of 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 MAY OPT OUT OF THE PROVISIONS OF SECTION 40-2-124 WITHOUT APPROVAL FROM 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., the commission shall revise or clarify existing rules to establish the following:

SECTION 3. Severability. If any provision of this 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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