

**APPLICATION OF COLORADO'S RENEWABLE ENERGY STANDARD EQUALLY TO ALL UTILITIES**

LEGISLATIVE DECLARATION: 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.

*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:

40-2-124. RENEWABLE ENERGY STANDARD - DEFINITIONS – NET METERING - LEGISLATIVE DECLARATION. (1) EACH PROVIDER OF RETAIL ELECTRIC SERVICE IN THE STATE OF COLORADO SHALL BE CONSIDERED A QUALIFYING RETAIL UTILITY. EACH QUALIFYING RETAIL UTILITY, 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 40-2-124 WITHOUT APPROVAL FROM THE COLORADO PUBLIC UTILITIES 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 2.** IF ANY PROVISION OF THIS ARTICLE 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.

**RECEIVED**

**APR 09 2010**

Colorado Secretary of State

# 95 - Original submitted  
to Leg. Council

Mr. Mike Mauer  
Director, Colorado Legislative Council  
State Capitol Building, Room 029  
Denver, CO 80203

March 26, 2010

Dear Mr. Mauer:

I hereby submit two separate proposed initiatives regarding equal application of Colorado's Renewable Energy Standard; and, The Consumer Choice in Clean Energy Act for review and comment. The proponents of these initiatives include Dan Clay and me.

Jon Goldin-Dubois  
2518 Akron St.  
Denver, CO 80238

Dan Bush  
3733 Clay St.  
Denver, CO 80211

Attached is the text for the two proposed initiatives. Please do not hesitate to contact me if you have questions or need further information.

Sincerely,



Jon Goldin-Dubois  
2518 Akron St.  
Denver, CO 80238  
720.203.2117