

THE CONSUMER CHOICE IN CLEAN ENERGY ACT

LEGISLATIVE DECLARATION: TO ALLOW CITIES AND COUNTIES THE CHOICE OF RENEWABLE ENERGY FOR THEIR RESIDENTS, IF THEIR RETAIL ELECTRICITY PROVIDER OPTS OUT OF PROVIDING RENEWABLE ENERGY AS REQUIRED BY CRS SECTION 40-2-124.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF COLORADO:

SECTION 1: ARTICLE II, TITLE 40 OF THE COLORADO REVISED STATUTES IS AMENDED BY THE FOLLOWING SECTION:
40-2-128.

IF A QUALIFYING RETAIL UTILITY OPTS OUT OF THE RENEWABLE ENERGY REQUIREMENTS OF SECTION 40-2-124, CITIES AND COUNTIES AT THE DISCRETION OF THEIR GOVERNING BODIES OR THROUGH A CITIZEN INITIATIVE (IN THE CASE OF HOME RULE CITIES) MAY PETITION THE COLORADO PUBLIC UTILITIES COMMISSION THAT RESIDENTS OF THEIR JURISDICTIONS BE COVERED BY REQUIREMENTS OF THE RENEWABLE ENERGY STANDARD.

UPON RECEIVING THE PETITION, THE COMMISSION SHALL REQUIRE THE RETAIL UTILITY TO SUBMIT A RESOURCE ACQUISITION PLAN FOR THE JURISDICTION REQUESTING INCLUSION IN THE RENEWABLE ENERGY STANDARD.

THE PUBLIC UTILITIES COMMISSION WILL HAVE RESPONSIBILITY TO ENSURE JUST AND REASONABLE RATES FOR RATEPAYERS OF THE POLITICAL SUBDIVISION REQUESTING THE INCLUSION IN 40-2-124 AS WELL AS THOSE RATEPAYERS WHO ARE NOT IMPACTED UNTIL SUCH TIME AS THE STANDARDS IN SECTION 40-2-124 ARE MET.

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.

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Colorado Secretary of State

96-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