

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

**Colorado clean energy standard**

**SECTION 1. Legislative declaration:** It is the intent of the people of this state to ensure a transition to a clean energy economy to improve air quality and to protect public health through the establishment of a clean energy standard for providers of retail electric service.

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

**SectionSECTION 12. Article 2 of Title 40, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:**

**40-2-128. Carbon dioxide emission standard. AN AMENDMENT TO THE COLORADO REVISED STATUTES CREATING A CLEAN ENERGY STANDARD TO ENSURE A TRANSITION TO A CLEAN ENERGY ECONOMY, CREATE GOOD PAYING JOBS IN THE CLEAN ENERGY SECTOR, TO UTILIZE LOCAL ENERGY RESOURCES, TO IMPROVE AIR QUALITY, REDUCE MERCURY POLLUTION, AND TO PROTECT THE PUBLIC HEALTH AND REDUCE CHILDHOOD ASTHMA, AS OF ON OR BEFORE JANUARY JANUARY 1, 2025, THE ELECTRIC GENERATION FLEET FACILITIES FOR EACH PROVIDER OF RETAIL ELECTRIC SERVICE THAT IS A MUNICIPALLY OWNED UTILITY OR A COOPERATIVE ELECTRIC ASSOCIATION THAT HAS VOTED TO EXEMPT ITSELF FROM COMMISSION JURISDICTION PURSUANT TO SECTION 40-9.5-104 SHALL AVERAGE NO MORE THAN 1,100 ONE THOUSAND ONE HUNDRED POUNDS OF CARBON DIOXIDE PER MEGAWATT HOUR OF GENERATION. PLANTS ELECTRIC GENERATION FACILITIES THAT RUN LESS THAN 40 FORTY HOURS A EACH YEAR AND THOSE THAT PROVIDE SYSTEM INTEGRATION SERVICES THAT FACILITATE NATURALLY VARIABLE RESOURCES SUCH AS WIND AND SOLAR POWER ARE EXEMPT FROM THIS STANDARD.**

**THE COLORADO PUBLIC UTILITIES COMMISSION MAY DELAY THE STANDARD IF THE UTILITY DEMONSTRATES THE COSTS OUTWEIGH THE BENEFITS BUT ONLY FOR UTILITIES THAT HAVE MADE PROGRESS TOWARDS MEETING THE STANDARD.**

**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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