

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 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.

SECTION 2. 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. ON OR BEFORE JANUARY 1, 2025, THE ELECTRIC GENERATION 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 ONE THOUSAND ONE HUNDRED POUNDS OF CARBON DIOXIDE PER MEGAWATT HOUR OF GENERATION. ELECTRIC GENERATION FACILITIES THAT RUN LESS THAN FORTY HOURS 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.

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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