



*Colorado Legislative Council Staff Fiscal Note*  
**FINAL**  
**FISCAL NOTE**

**Drafting Number:** LLS 11-0642 **Date:** May 19, 2011  
**Prime Sponsor(s):** Rep. Becker; Levy **Bill Status:** Signed into Law  
 Sen. Johnston; Brophy **Fiscal Analyst:** Marc Carey (303-866-4102)

**TITLE:** CONCERNING PROCEDURES TO ENSURE TRANSPARENCY IN THE PROCESS OF BIDDING BY ELECTRIC UTILITIES FOR THE ACQUISITION OF NEW GENERATION FACILITIES.

| <b>Fiscal Impact Summary</b>   | <b>FY 2011-2012</b>             | <b>FY 2012-2013</b> |
|--|---------------------------------|---------------------|
| <b>State Revenue</b>   |                                 |                     |
| <b>State Expenditures</b>  | See State Expenditures section. |                     |
| <b>FTE Position Change</b>   |                                 |                     |
| <b>Effective Date:</b> The bill was signed into law by the Governor and took effect on March 29, 2011. |                                 |                     |
| <b>Appropriation Summary for FY 2011-2012:</b> None required.  |                                 |                     |
| <b>Local Government Impact:</b> None.  |                                 |                     |

**Summary of Legislation**

This bill directs the Colorado Public Utilities Commission (PUC), within 90 days of passage of the bill, to begin promulgating rules regarding information provided by investor-owned utilities (IOUs) to electric generation facility owners. Specifically, the bill requires that facility owners have access to any modeling and assumptions used by the IOU in resource acquisition bidding that directly relates to their facilities. The bill also requires the PUC to designate resource acquisition information as highly confidential.

**State Expenditures**

*Department of Regulatory Agencies, Colorado Public Utilities Commission.* The bill directs the PUC to adopt specified rules related to access to resource acquisition information and designate such information as confidential. The required rulemaking is not expected to be contentious. In addition, the required confidentiality designation is already a part of resource acquisition proceedings. Thus, this bill may be implemented within existing appropriations.

**Departments Contacted**

Regulatory Agencies