



FINAL
FISCAL NOTE

Drafting Number: LLS 12-0577

Date: May 30, 2012

Prime Sponsor(s): Rep. Scott

Bill Status: Deemed Lost

Fiscal Analyst: Marc Carey (303-866-4102)

TITLE: CONCERNING ENACTMENT OF THE UTILITY RATEPAYERS' BILL OF RIGHTS FOR CUSTOMERS OF INVESTOR-OWNED UTILITIES IN COLORADO.

Summary of Legislation

This bill authorizes the Colorado Public Utilities Commission (PUC) to suspend, for a period of up to 10 years, implementation of the 30 percent renewable energy standard (RES) beginning in 2020, if it determines that implementation creates undue financial burden on ratepayers. The bill was laid over until May 10, 2012, by the House of Representatives during second reading on March 16, 2012. As such, the bill was deemed lost.

Background

Since Amendment 37, the General Assembly has enacted several pieces of legislation related to clean energy. The following describes amendments to Section 40-2-124, C.R.S. (Renewable Energy Standard). This section of statute was established by Amendment 37 and created Colorado's original RES. *House Bill 07-1281* expanded the RES to apply to Cooperative Electric Associations (CEAs) and Municipally-Owned Utilities (MOUs) with more than 40,000 customers. The bill raised the standard for IOUs and established a standard for CEAs and MOUs. The bill also raised the allowable retail rate impact from one to two percent of the customer's total annual electric bill. CEAs were required to submit RES compliance reports similar to those of IOUs, but these reports are not subject to the same review. *House Bill 10-1001* further raised the standard for IOUs but left intact standard for CEAs and MOUs.

Assessment

This bill authorizes suspension of the 30 percent RES if the PUC determines that implementation of the standard creates undo hardship on ratepayers. Current law also requires that the retail rate impact of the RES be no greater than two percent. This fiscal note assumes that the PUC will not determine that a retail rate impact of less than two percent imposes undo economic hardship on ratepayers. Thus, the bill is assessed as having no fiscal impact.

Departments Contacted

Regulatory Agencies