

SB142\_L.003

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Transportation & Energy.

SB26-142 be amended as follows:

- 1 Amend printed bill, page 3, line 24, strike "sense;" and substitute "sense;  
2 and".
- 3 Page 4, strike lines 5 through 8.
- 4 Page 4, line 13, strike "pathways;" and substitute "pathways; and".
- 5 Page 4, strike lines 14 through 16 and substitute:  
6 "(b) This act does not limit any authority that a local government  
7 already has under the local government's organic statute or other state law  
8 to provide thermal energy service; and".
- 9 Page 4, strike lines 19 through 27.
- 10 Strike page 5.
- 11 Page 6, strike lines 1 through 19.
- 12 Renumber succeeding sections accordingly.
- 13 Page 8, strike lines 6 and 7 and insert:  
14 "(4) A PRIVATE ENTITY, OTHER THAN AN ENTITY THAT IS A UTILITY  
15 REGULATED BY THE PUBLIC UTILITIES COMMISSION OR AN AFFILIATE OF A  
16 PUBLIC UTILITY, AS DEFINED IN SECTION 40-3-104.3 (4)(b), THAT  
17 OPERATES, MAINTAINS, OR MANAGES".
- 18 Page 9, after line 1 insert:  
19 "(d) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION,  
20 NOTHING IN THIS SUBSECTION (5) SHALL BE CONSTRUED TO LIMIT,  
21 RESTRICT, OR OTHERWISE IMPAIR THE BONDING, FINANCING, OR  
22 CREDIT-RAISING AUTHORITY, OR ANY POWERS INCIDENTAL TO THAT  
23 AUTHORITY, GRANTED TO A LOCAL GOVERNMENT BY ITS ORGANIC  
24 STATUTE OR ANY OTHER PROVISION OF STATE LAW.".
- 25 Page 10, strike lines 7 through 27.
- 26 Page 11, strike lines 1 through 6.

- 1 Renumber succeeding sections accordingly.
- 2 Page 12, after line 9 insert:
- 3           **"SECTION 7.** In Colorado Revised Statutes, 34-60-106, **add**  
4 (2.5)(c) as follows:
- 5           **34-60-106. Additional powers of commission - fees - rules -**  
6 **definitions - repeal.**
- 7           (2.5) (c) IN EXERCISING THE AUTHORITY GRANTED TO THE  
8 COMMISSION PURSUANT TO THIS ARTICLE 60, THE COMMISSION SHALL NOT  
9 CONDITION ANY APPROVAL OF OIL AND GAS OPERATIONS ON AN OPERATOR  
10 AGREEING TO SUBJECT THE OPERATOR'S OIL AND GAS WELLS TO THE DATA  
11 COLLECTION PROGRAM DESCRIBED IN SECTION 37-90.5-112."
- 12 Renumber succeeding sections accordingly.
- 13 Page 12, line 24, strike "OR" and substitute "OR, WITH THE CONSENT OF  
14 THE OPERATOR,".
- 15 Page 13, line 25, strike "COLLECT" and substitute "CONSIDER".
- 16 Page 14, strike line 14 and substitute "ENVIRONMENT AND WILDLIFE  
17 RESOURCES;
- 18           (IV) CONDUCTED VOLUNTARILY WHEN DATA IS PROVIDED BY AN  
19 ENTITY OTHER THAN THE COMMISSION OR THE COLORADO GEOLOGICAL  
20 SURVEY; AND".
- 21 Renumber succeeding subparagraph accordingly.
- 22 Page 15, line 12, after "STATUTORY" insert "OR REGULATORY".
- 23 Page 15, line 13, strike "RESPONSIBILITIES." and substitute  
24 "RESPONSIBILITIES OR EXISTING PERMITTING AND REGULATORY  
25 PROGRAMS."
- 26 Page 17, line 2, strike "THIS SECTION IS REPEALED," and substitute "THIS  
27 SUBSECTION (4) AND SUBSECTIONS (2) AND (3) OF THIS SECTION ARE  
28 REPEALED,".
- 29 Page 17, strike line 4 and substitute "(2)(a)(IV) as follows:".
- 30 Page 17, strike lines 15 through 27.
- 31 Page 18, line 5, after "**duties -"** insert "**labor requirements -"**.

- 1 Page 18, line 14, strike "NET" and substitute "NAMEPLATE".
- 2 Page 18, line 22, strike "NET" and substitute "NAMEPLATE".
- 3 Page 19, line 6, strike "MAY" and substitute "SHALL".
- 4 Page 19, line 10, strike "REQUEST-FOR-PROPOSAL PERIOD" and substitute  
5 "REQUEST FOR PROPOSALS".
- 6 Page 19, line 12, strike "MAY" and substitute "SHALL".
- 7 Page 19, line 13, strike "PROJECTS," and substitute "PROJECTS IF THE  
8 UTILITY RECEIVES A BID IN RESPONSE TO THE REQUEST FOR PROPOSALS  
9 SOLICITED IN ACCORDANCE WITH THIS SUBSECTION (2),".
- 10 Page 20, strike lines 1 and 2 and substitute "SUBMITTED PURSUANT TO  
11 THIS SUBSECTION (2) WITHIN ONE HUNDRED TWENTY DAYS AFTER  
12 RECEIVING THE APPLICATION, OR WITHIN ONE HUNDRED EIGHTY DAYS  
13 AFTER RECEIVING THE APPLICATION, FOR GOOD CAUSE SHOWN.".
- 14 Page 20, strike line 6 and substitute "FACTORS THAT INCLUDE:".
- 15 Page 20, strike line 18 and substitute "UTILITY SHALL REQUEST, AS  
16 APPROPRIATE:".
- 17 Page 20, line 24, after "ANY" insert "USED AND USEFUL".
- 18 Page 20, line 27, after "(a)" insert "(I)".
- 19 Page 21, line 4, strike "MAY" and substitute "SHALL".
- 20 Page 21, line 5, strike "OR (4)".
- 21 Page 21, after line 5 insert:  
22 "(II) WHEN SOLICITING A REQUEST FOR PROPOSALS IN  
23 ACCORDANCE WITH THIS SUBSECTION (3)(a), THE INVESTOR-OWNED  
24 ELECTRIC UTILITY SHALL TARGET THE ACQUISITION OR DEVELOPMENT OF  
25 NO MORE THAN THREE HUNDRED MEGAWATTS OF NAMEPLATE ELECTRIC  
26 GENERATING CAPACITY FROM LARGE-SCALE GEOTHERMAL PROJECTS.".
- 27 Page 21, line 8, strike "REQUEST-FOR-PROPOSAL PERIOD" and substitute  
28 "REQUEST FOR PROPOSALS".
- 29 Page 21, line 10, strike "MAY" and substitute "SHALL".

1 Page 21, line 11, strike "PROJECTS," and substitute "PROJECTS IF THE  
2 UTILITY RECEIVES A BID IN RESPONSE TO THE REQUEST FOR PROPOSALS  
3 SOLICITED IN ACCORDANCE WITH THIS SUBSECTION (3),".

4 Page 21, line 21, strike "AND".

5 Page 21, line 24, strike "CUSTOMERS." and substitute "CUSTOMERS;".

6 Page 21, after line 24 insert:

7 "(V) THE PROPOSED OWNERSHIP STRUCTURE FOR THE  
8 LARGE-SCALE GEOTHERMAL PROJECTS, WHICH MAY INCLUDE FULL OR  
9 PARTIAL BUILD TRANSFER OWNERSHIP STRUCTURES, JOINT VENTURES, OR  
10 INDEPENDENT POWER PRODUCTION OWNERSHIP STRUCTURES WITH A  
11 POWER PURCHASE AGREEMENT; AND

12 (VI) A DESCRIPTION OF ANY SPECIFIC CUSTOMER OR GROUP OF  
13 CUSTOMERS THAT THE INVESTOR-OWNED ELECTRIC UTILITY MAY PARTNER  
14 WITH TO SUPPORT THE DEVELOPMENT OF A LARGE-SCALE GEOTHERMAL  
15 PROJECT IN ACCORDANCE WITH SUBSECTION (3)(d) OF THIS SECTION."

16 Page 21, strike line 27 and substitute "SUBMITTED PURSUANT TO THIS  
17 SUBSECTION (3) WITHIN ONE HUNDRED TWENTY DAYS AFTER RECEIVING  
18 THE APPLICATION, OR WITHIN ONE HUNDRED EIGHTY DAYS AFTER  
19 RECEIVING THE APPLICATION, FOR GOOD CAUSE SHOWN."

20 Page 22, strike line 1.

21 Page 22, line 12, strike "RESOURCES," and substitute "RESOURCES TO  
22 MAKE PROGRESS TOWARD THE ECONOMY-WIDE GOAL OF NET-ZERO  
23 EMISSIONS BY 2050,".

24 Page 22, line 27, strike "(3)" and substitute "(3).".

25 Page 23, strike line 1 and substitute "AN".

26 Page 23, after line 7 insert:

27 "(4) **Labor requirements.** A SMALL-SCALE GEOTHERMAL PROJECT  
28 OR A LARGE-SCALE GEOTHERMAL PROJECT AUTHORIZED PURSUANT TO  
29 THIS SECTION THAT IS CONSIDERED AN ENERGY SECTOR PUBLIC WORKS  
30 PROJECT, AS DEFINED IN SECTION 24-92-303 (5), MUST COMPLY WITH:

31 (a) THE PREVAILING WAGE REQUIREMENTS IN PART 2 OF ARTICLE  
32 92 OF TITLE 24;

33 (b) THE APPRENTICESHIP UTILIZATION REQUIREMENTS IN SECTION  
34 24-92-115 (7); AND

1 (c) THE LABOR REQUIREMENTS IN PART 3 OF ARTICLE 92 OF TITLE  
2 24.".

3 Page 23, strike lines 8 through 27.

4 Page 24, strike lines 1 through 8.

5 Renumber succeeding subsection accordingly.

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