



1 COMMUNITY'S GEOGRAPHIC AREA. THE ABILITY TO PROCURE ELECTRICITY  
2 FROM ALTERNATIVE WHOLESALE SUPPLIERS MAY ENABLE COMMUNITIES  
3 TO ACHIEVE THEIR ENERGY GOALS SUBSTANTIALLY FASTER AND MORE  
4 COST-EFFECTIVELY.

5 (IV) COMMUNITY CHOICE ENERGY (CCE, ALSO COMMONLY  
6 KNOWN AS COMMUNITY CHOICE AGGREGATION OR CCA), IS A LOCAL  
7 ENERGY MODEL THAT HAS BEEN ADOPTED IN A NUMBER OF STATES AND  
8 HAS PROVEN TO BE EFFECTIVE IN HELPING COMMUNITIES ACHIEVE THEIR  
9 RENEWABLE ENERGY OR COST-CONTAINMENT GOALS, OR BOTH. THE  
10 STUDY OF CCE WOULD ANSWER KEY QUESTIONS AND ILLUMINATE THE  
11 POSSIBLE BENEFITS AND CHALLENGES OF ADAPTING THE CCE MODEL AS  
12 AN OPTION FOR COLORADO COMMUNITIES.

13 (V) IN THE CCE MODEL, COMMUNITIES THAT ARE SERVED BY AN  
14 INVESTOR-OWNED ELECTRIC UTILITY MAY CHOOSE THEIR WHOLESALE  
15 ELECTRICITY SUPPLIERS, WHILE THE ELECTRICITY CONTINUES TO BE  
16 DELIVERED BY THE INCUMBENT UTILITY. IN STATES THAT HAVE ENABLED  
17 CCE TO DATE, CCE IS NOT PERMITTED IN COMMUNITIES THAT ARE SERVED  
18 BY A COOPERATIVE ELECTRIC ASSOCIATION OR A MUNICIPALLY OWNED  
19 ELECTRIC UTILITY.

20 (VI) IN THE CCE MODEL, AN INVESTOR-OWNED ELECTRIC UTILITY  
21 CONTINUES TO OWN AND OPERATE ITS TRANSMISSION AND DISTRIBUTION  
22 SYSTEM TO SERVE BOTH CCE CUSTOMERS AND ITS OWN CUSTOMERS, WITH  
23 APPROPRIATE COMPENSATION, AND THE UTILITY CONTINUES TO  
24 IMPLEMENT DEMAND-SIDE MANAGEMENT PROGRAMS, MANAGE CUSTOMER  
25 SERVICE, AND PROVIDE METERING AND BILLING SERVICES. THE UTILITY  
26 CONTINUES TO OWN ITS POWER GENERATION TO SERVE ITS OWN  
27 CUSTOMERS. IF A COMMUNITY CHOOSES TO ADOPT CCE, THE UTILITY  
28 WOULD DELIVER THE ELECTRICITY FROM ONE OR MORE ALTERNATIVE  
29 SUPPLIERS TO CCE CUSTOMERS.

30 (VII) THIS SECTION CONCERNS THE "WHOLESALE, OPT-OUT"  
31 MODEL OF CCE, PURSUANT TO WHICH INDIVIDUAL CUSTOMERS ARE  
32 AUTOMATICALLY ENROLLED AND RETAIN THE RIGHT TO OPT OUT OF THEIR  
33 COMMUNITY'S CCE OFFERINGS AND PURCHASE THEIR ELECTRICITY FROM  
34 THE UTILITY UNDER ITS TRADITIONAL "BUNDLED SERVICE". THE RETAIL  
35 MODEL OF CCE, IN WHICH INDIVIDUALS IN DEREGULATED "RETAIL  
36 CHOICE" STATES CAN SHOP FOR THEIR ELECTRICITY FROM AMONG MANY  
37 COMPETING SUPPLIERS, DOES NOT PROMOTE THE STABLE REVENUE  
38 CONDITIONS NEEDED FOR DEVELOPMENT OF HIGH LEVELS OF RENEWABLE  
39 ENERGY. THE RETAIL CCE MODEL IS EXPLICITLY NOT THE SUBJECT OF THIS  
40 SECTION.

41 (VIII) A WELL-DESIGNED WHOLESALE, OPT-OUT CCE PROGRAM

1 WOULD INTRODUCE AN ELEMENT OF WHOLESALE COMPETITION AND  
2 COMMUNITY-LEVEL CHOICE INTO THE SUPPLY OF ELECTRICITY AND COULD  
3 PROVIDE COMMUNITIES THAT HAVE AMBITIOUS RENEWABLE ENERGY  
4 GOALS WITH A MEANS TO REACH THOSE GOALS MORE QUICKLY AND  
5 COST-EFFECTIVELY.

6 (IX) THIS SECTION PERTAINS ONLY TO THE STUDY OF CCE, NOT TO  
7 ITS IMPLEMENTATION. WHILE CCE IN OTHER STATES SHOWS THE  
8 POTENTIAL FOR COMMUNITIES TO MAKE LOCAL ENERGY DECISIONS, REACH  
9 THEIR ENERGY GOALS, REDUCE ENERGY COSTS, AND FOSTER LOCAL  
10 ECONOMIC DEVELOPMENT AND LOCAL EMPLOYMENT, IT IS PRUDENT TO  
11 FIRST STUDY THE FINANCIAL FEASIBILITY AND THE REGULATORY, LEGAL,  
12 AND ENVIRONMENTAL IMPLICATIONS OF CCE IN COLORADO BEFORE ANY  
13 CONSIDERATION OF ENABLING CCE AS AN OPTION FOR COMMUNITIES IN  
14 COLORADO.

15 (X) THE TWO INDEPENDENT STUDIES DESCRIBED IN THIS SECTION  
16 WILL ANSWER KEY QUESTIONS ABOUT THE POTENTIAL VIABILITY OF CCE  
17 IN COLORADO AND WILL IDENTIFY BEST PRACTICES AND LESSONS LEARNED  
18 FROM THE EXPERIENCES OF STATES THAT HAVE ALREADY IMPLEMENTED  
19 CCE. THE STUDIES WILL PROVIDE THE INFORMATION NEEDED TO  
20 DETERMINE WHETHER CCE WOULD PROVIDE NET BENEFITS TO COLORADO  
21 COMMUNITIES.

22 (b) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT IT IS IN  
23 THE PUBLIC INTEREST TO DIRECT THE COMMISSION TO EVALUATE THE  
24 VIABILITY OF THE WHOLESALE, OPT-OUT MODEL OF CCE IN COLORADO  
25 AND TO ANSWER KEY QUESTIONS ABOUT CCE IN COLORADO THROUGH  
26 TWO INVESTIGATIONS:

27 (I) BY OVERSEEING A THIRD-PARTY FINANCIAL FEASIBILITY STUDY;  
28 AND

29 (II) BY CONDUCTING ITS OWN INVESTIGATORY PROCEEDING USING  
30 THE MECHANISM OF AN INVESTIGATORY DOCKET TO STUDY REGULATORY  
31 AND LEGAL ISSUES.

32 (2) **Definition.** AS USED IN THIS SECTION, "COMMUNITY CHOICE  
33 ENERGY" OR "CCE" MEANS A MECHANISM THAT ALLOWS CITIES OR  
34 COUNTIES, OR GROUPS OF CITIES AND COUNTIES, TO COMBINE THEIR  
35 PURCHASING POWER AND CHOOSE ONE OR MORE ALTERNATIVE  
36 WHOLESALE ELECTRICITY SUPPLIERS ON BEHALF OF THE RESIDENTS,  
37 BUSINESSES, AND MUNICIPAL FACILITIES IN THE JURISDICTION WHILE THE  
38 INCUMBENT UTILITY MAINTAINS ITS EXISTING GENERATION AND  
39 CONTINUES TO OWN AND OPERATE ITS TRANSMISSION AND DISTRIBUTION  
40 SYSTEM AND DELIVER THE ELECTRICITY TO BOTH ITS OWN CUSTOMERS  
41 AND CCE CUSTOMERS.

1           **(3) Feasibility study.** (a) IN ACCORDANCE WITH THIS SUBSECTION  
2 (3), THE COMMISSION SHALL OVERSEE, AND REPORT TO THE GENERAL  
3 ASSEMBLY THE CONCLUSIONS OF, A STUDY ON THE FINANCIAL FEASIBILITY  
4 OF ALLOWING CCE IN COLORADO.

5           (b) THE COMMISSION SHALL:

6           (I) SELECT, THROUGH A TRANSPARENT AND COMPETITIVE  
7 SOLICITATION OVERSEEN DIRECTLY BY THE COMMISSIONERS AND ISSUED  
8 ON OR BEFORE SEPTEMBER 1, 2020, AN INDEPENDENT AND QUALIFIED  
9 AGENT TO PERFORM THE STUDY, USING SELECTION CRITERIA THAT ENSURE  
10 THE AGENT DOES NOT CARRY BIASES THAT ARE ESPECIALLY FAVORABLE  
11 OR UNFAVORABLE TO CCE OR TO INVESTOR-OWNED UTILITIES;

12           (II) DETERMINE THE SCOPE OF, AND SPECIFIC QUESTIONS TO BE  
13 ADDRESSED BY, THE STUDY, SUBJECT TO THE GUIDELINES SET FORTH IN  
14 THIS SUBSECTION (3);

15           (III) ACQUIRE THE DATA NECESSARY TO EFFECTIVELY CONDUCT  
16 THE STUDY FROM THE INVESTOR-OWNED ELECTRIC UTILITIES IN A TIMELY  
17 FASHION, UTILIZING CONFIDENTIALITY AND NONDISCLOSURE AGREEMENTS  
18 AS NEEDED; AND

19           (IV) REPORT THE PROCESS AND CONCLUSIONS OF THE FEASIBILITY  
20 STUDY, AS WELL AS THE CONCLUSIONS OF THE CONCURRENT  
21 INVESTIGATORY DOCKET SET FORTH IN SUBSECTION (4) OF THIS SECTION,  
22 IN A FINAL REPORT TO THE TRANSPORTATION AND ENERGY COMMITTEE OF  
23 THE SENATE AND THE ENERGY AND ENVIRONMENT COMMITTEE OF THE  
24 HOUSE OF REPRESENTATIVES, OR THEIR SUCCESSOR COMMITTEES, ON OR  
25 BEFORE JUNE 1, 2021.

26           (c) THE PURPOSE OF THE STUDY IS TO ASSESS FINANCIAL  
27 FEASIBILITY AND RISK, INCLUDING THE POTENTIAL FOR RATE  
28 COMPETITIVENESS, PRINCIPLES FOR CALCULATING THE AMOUNT AND  
29 DURATION OF ANY TRANSITION FEES, AND AN ESTIMATE OF SUCH FEES,  
30 ALSO KNOWN AS EXIT FEES, THAT COMMUNITIES FORMING A CCE  
31 AUTHORITY WOULD PAY TO OFFSET THEIR FAIR SHARE OF THE COSTS OF  
32 UTILITY ASSETS AND CONTRACTS THAT WERE PROCURED ON THEIR BEHALF  
33 AND PREVIOUSLY APPROVED. THE AGENT SHALL MAKE THESE  
34 ASSESSMENTS AND DEVELOP THESE PRINCIPLES USING INDUSTRY BEST  
35 PRACTICES AND ASSUMING A RANGE OF SCENARIOS THAT INCLUDE:

36           (I) THE LEVEL OF CCE PARTICIPATION IN COLORADO, INCLUDING  
37 THE NUMBER OF ELIGIBLE COMMUNITIES THAT CHOOSE TO FORM OR JOIN  
38 A CCE AUTHORITY AND THE ASSUMED OPT-OUT RATE OF THEIR  
39 CUSTOMERS, TO EVALUATE THE MARKET SCALE AND REVENUE  
40 GENERATION NEEDED FOR CCE TO SUCCEED IN COLORADO;

41           (II) FACTORS TO BE INCLUDED IN THE EXIT FEE CONSIDERATION,

1 INCLUDING THE AGE AND TIME OF SERVICE COMMENCEMENT OF  
2 GENERATION ASSETS AND EXISTING CONTRACTS; AND

3 (III) RATE ANALYSIS TO DETERMINE THE POTENTIAL FOR CCE TO  
4 BE COST-COMPETITIVE IN COLORADO, ASSUMING DIFFERENT LEVELS OF  
5 RENEWABLE ENERGY CONTENT THAT CORRESPOND TO THE RENEWABLE  
6 ENERGY STANDARD SPECIFIED IN SECTION 40-2-124 AS WELL AS  
7 SCENARIOS EXCEEDING STATE REQUIREMENTS, INCLUDING ONE HUNDRED  
8 PERCENT RENEWABLE ENERGY, AND CONSIDERATION OF REASONABLY  
9 ANTICIPATED TRENDS AND CONTINGENCIES AFFECTING THE PRICES OF  
10 FOSSIL FUELS AND RENEWABLE ENERGY RESOURCES AND THE MIX OF NEW  
11 RENEWABLE ENERGY RESOURCES VERSUS RENEWABLE ENERGY  
12 CERTIFICATES.

13 (d) THE SCOPE OF THE STUDY IS LIMITED TO CONSIDERATION OF  
14 THE FEASIBILITY OF ALLOWING CCE IN AREAS NOT CURRENTLY SERVED BY  
15 MUNICIPALLY OWNED ELECTRIC UTILITIES OR COOPERATIVE ELECTRIC  
16 ASSOCIATIONS.

17 (4) **Investigatory docket.** (a) ON OR BEFORE SEPTEMBER 1, 2020,  
18 AND IN ACCORDANCE WITH THIS SUBSECTION (4), THE COMMISSION SHALL  
19 OPEN AN INVESTIGATORY DOCKET TO ACCEPT TESTIMONY AND  
20 DOCUMENTATION FROM STAKEHOLDERS, INDEPENDENT ENERGY AND  
21 UTILITY EXPERTS, REGULATORS FROM STATES IN WHICH CCE HAS BEEN  
22 IMPLEMENTED OR IS UNDER CONSIDERATION, REPRESENTATIVES OF  
23 OPERATIONAL CCE AUTHORITIES, AND OTHER INTERESTED PARTIES. THE  
24 GOAL OF THE PROCEEDING IS TO CONSIDER THE REGULATORY  
25 IMPLICATIONS AND LEGAL IMPACTS OF POSSIBLE FUTURE CCE-ENABLING  
26 LEGISLATION AND PROVIDE RECOMMENDATIONS TO THE GENERAL  
27 ASSEMBLY. CONCLUSIONS SHOULD INCLUDE BEST PRACTICES AND LESSONS  
28 LEARNED FROM STATES THAT HAVE ENABLED CCE AT THE WHOLESALE  
29 LEVEL. THE COMMISSION SHALL EMPLOY PROCEDURES THAT PROMOTE A  
30 PRODUCTIVE, EFFECTIVE, AND EVIDENCE-BASED PROCESS.

31 (b) THE COMMISSION SHALL SOLICIT INPUT FROM A BROAD AND  
32 INCLUSIVE RANGE OF STAKEHOLDERS AND PRESENTERS TO ENSURE THAT  
33 THE PROCESS IS NOT DOMINATED BY ANY ONE GROUP OR VIEWPOINT.  
34 STAKEHOLDERS AND PRESENTERS MAY INCLUDE:

35 (I) COMMUNITIES WITH DECLARED GOALS REGARDING CARBON  
36 EMISSIONS OR ENERGY SUPPLY CHOICES;

37 (II) BUSINESS GROUPS;

38 (III) ENVIRONMENTAL ADVOCATES;

39 (IV) CONSUMER ADVOCATES;

40 (V) ELECTRIC UTILITIES, INCLUDING INVESTOR-OWNED ELECTRIC  
41 UTILITIES, MUNICIPALLY OWNED ELECTRIC UTILITIES, AND COOPERATIVE

1 ELECTRIC ASSOCIATIONS;  
2 (VI) INDEPENDENT POWER PRODUCERS;  
3 (VII) POWER MARKETERS;  
4 (VIII) RENEWABLE ENERGY DEVELOPERS;  
5 (IX) CONSULTANTS OR OTHER EXPERTS IN ENERGY PROJECT  
6 FINANCING;  
7 (X) CONSULTANTS OR OTHER EXPERTS IN ENERGY EFFICIENCY AND  
8 DISTRIBUTED ENERGY RESOURCES;  
9 (XI) REPRESENTATIVES OF OPERATIONAL CCE AUTHORITIES THAT  
10 USE THE WHOLESALE CCE MODEL; AND  
11 (XII) MEMBERS OF THE GENERAL PUBLIC.  
12 (c) THE TOPICS AND QUESTIONS TO BE EXPLORED IN THE DOCKET  
13 MAY INCLUDE:  
14 (I) WHETHER THE COMMISSION WOULD REQUIRE ADDITIONAL  
15 STATUTORY AUTHORITY TO CONDUCT A RULE-MAKING PROCEEDING  
16 CONCERNING THE CREATION OF CCE AUTHORITIES IN COLORADO;  
17 (II) THE APPROPRIATE SCOPE OF REGULATORY OVERSIGHT OF CCE  
18 OPERATIONS, ON A SCALE RANGING FROM COMPREHENSIVE AS WITH  
19 INVESTOR-OWNED ELECTRIC UTILITIES TO MINIMAL AS WITH MUNICIPALLY  
20 OWNED ELECTRIC UTILITIES;  
21 (III) WHICH ASPECTS, IF ANY, OF CURRENT OR ANTICIPATED  
22 INVESTOR-OWNED ELECTRIC UTILITY REGULATION BY THE COMMISSION  
23 SHOULD APPLY TO CCE AUTHORITIES AS WELL, AND TO WHAT EXTENT,  
24 INCLUDING REGULATION IN THE AREAS OF:  
25 (A) RESOURCE ADEQUACY PLANNING;  
26 (B) ASSURANCE OF RELIABILITY AND HOW THIS IS PAID FOR;  
27 (C) COMPLIANCE WITH RENEWABLE ENERGY STANDARDS AND  
28 EMISSIONS REDUCTION TARGETS;  
29 (D) SUPPLEMENTAL DEMAND-SIDE MANAGEMENT PROGRAMS  
30 OFFERED BY CCE AUTHORITIES;  
31 (E) TIME-OF-USE RATES OR OTHER RATE REQUIREMENTS IF  
32 MANDATED FOR INVESTOR-OWNED ELECTRIC UTILITIES; AND  
33 (F) STANDARDS FOR REQUESTS FOR PROPOSALS;  
34 (IV) THE APPROPRIATE CONSIDERATIONS FOR ESTABLISHING  
35 REASONABLE EXIT FEES AT A LEVEL THAT PROVIDES COST RECOVERY FOR  
36 STRANDED INVESTOR-OWNED ELECTRIC UTILITY ASSETS AND CONTRACTS  
37 AND DIRECT TRANSITION COSTS, AND THAT PROTECTS NON-CCE  
38 CUSTOMERS, BUT DOES NOT UNDULY BURDEN CCE CUSTOMERS,  
39 INCLUDING THE POTENTIAL FOR EXIT FEES TO VARY OVER TIME OR BY  
40 LOCATION, THE ESTABLISHMENT OF A SPECIFIC EXPIRATION PERIOD FOR  
41 EXIT FEES, MEASURES TO MITIGATE EXIT FEES THROUGH POTENTIAL

- 1 CONTRACT TRANSFER OR RESALE TO CCE AUTHORITIES OR OTHER BUYERS,  
2 AND APPROPRIATE FORECASTING OF DEPARTING LOAD TO AVOID  
3 OVER-PROCUREMENT;
- 4 (V) THE APPROPRIATE CONDITIONS, LIMITATIONS, AND  
5 PROCEDURES UNDER WHICH CUSTOMERS MAY OPT OUT OF CCE AND  
6 RECEIVE BUNDLED SERVICE FROM THE INCUMBENT INVESTOR-OWNED  
7 ELECTRIC UTILITY;
- 8 (VI) WHETHER ANY OTHER CONSUMER PROTECTIONS WOULD BE  
9 REQUIRED AND THE MEANS OF PROVIDING THOSE PROTECTIONS;
- 10 (VII) POTENTIAL CHALLENGES FOR CCE START-UP OR CONTINUING  
11 OPERATIONS, INCLUDING THE AVAILABILITY OF FINANCING AND CREDIT  
12 RATING CONSIDERATIONS, AND STRATEGIES TO OVERCOME THOSE  
13 CHALLENGES;
- 14 (VIII) WHAT REGULATORY AND LEGAL ISSUES HAVE ARISEN IN  
15 OTHER STATES THAT HAVE ADOPTED THE WHOLESALE, OPT-OUT MODEL OF  
16 CCE AND POSSIBLE SOLUTIONS FOR THOSE ISSUES;
- 17 (IX) WHETHER AN INVESTOR-OWNED ELECTRIC UTILITY THAT  
18 REMAINS THE SOLE PROVIDER OF DISTRIBUTION, TRANSMISSION, AND  
19 OTHER SERVICES TRADITIONALLY PROVIDED BY THE UTILITY, SUCH AS  
20 METERING AND BILLING, SHOULD ALSO BE THE PROVIDER OF LAST RESORT  
21 FOR SUPPLYING ELECTRICITY TO CUSTOMERS WHO OPT OUT OF CCE;
- 22 (X) THE APPROPRIATE PROCESS FOR APPROVAL OF CCE ON BEHALF  
23 OF CUSTOMERS WITHIN A JURISDICTION;
- 24 (XI) WHETHER CCE AUTHORITIES SHOULD BE ALLOWED TO OFFER  
25 DEMAND-SIDE MANAGEMENT PROGRAMS THAT EITHER EXPAND UPON OR  
26 REPLACE SUCH PROGRAMS OFFERED BY THE INCUMBENT INVESTOR-OWNED  
27 ELECTRIC UTILITY;
- 28 (XII) REGULATORY AND POLICY CONSIDERATIONS RELATED TO  
29 FORMING CCE AUTHORITIES IN A STATE THAT DOES NOT CURRENTLY  
30 BELONG TO A REGIONAL TRANSMISSION ORGANIZATION OR PARTICIPATE  
31 IN A WHOLESALE ELECTRICITY MARKET, AND POSSIBLE SOLUTIONS,  
32 INCLUDING CONSIDERATIONS IN THE AREAS OF:
- 33 (A) WHETHER LEGISLATION SHOULD BE ADOPTED TO GUARANTEE  
34 OPEN ACCESS AND FAIR PRICES FOR TRANSMISSION SERVICES;
- 35 (B) RECOMMENDATIONS FOR LEGISLATIVE OR ADMINISTRATIVE  
36 MEASURES, OR BOTH, CONCERNING WHOLESALE MARKET ACCESS AND  
37 DEVELOPMENT IN COLORADO;
- 38 (C) WHETHER THERE ARE OTHER LEGISLATIVE AND REGULATORY  
39 MODIFICATIONS NECESSARY TO SUCCESSFULLY IMPLEMENT CCE IN  
40 COLORADO;
- 41 (XIII) WHAT, IF ANY, MINIMUM REQUIREMENTS AND STANDARDS

1 SHOULD APPLY TO INDEPENDENT POWER PRODUCERS AND POWER  
2 MARKETERS WHO WISH TO SUPPLY ENERGY TO A CCE AUTHORITY;

3 (XIV) WHAT, IF ANY, DATA-SHARING REQUIREMENTS SHOULD BE  
4 IMPOSED ON INVESTOR-OWNED ELECTRIC UTILITIES TO HELP ENSURE THAT  
5 A CCE AUTHORITY OR A JURISDICTION INVESTIGATING WHETHER TO FORM  
6 OR JOIN A CCE AUTHORITY CAN REASONABLY EVALUATE ITS FINANCIAL  
7 AND TECHNICAL VIABILITY AND IMPLEMENT ITS CCE PROGRAM;

8 (XV) HOW CCE MIGHT FACILITATE OR IMPEDE INCREASED  
9 INTEGRATION OF DISTRIBUTED ENERGY RESOURCES, SUCH AS ROOFTOP  
10 SOLAR, COMMUNITY SOLAR, AND BATTERY ENERGY STORAGE INTO  
11 DISTRIBUTION SYSTEMS, AND FACILITATE OR IMPEDE INCREASED  
12 INVESTMENT IN BENEFICIAL ELECTRIFICATION INCLUDING  
13 ELECTRIFICATION OF TRANSPORT;

14 (XVI) THE APPROPRIATE CONSIDERATIONS FOR ENSURING THAT  
15 THE IMPLEMENTATION OF CCE DOES NOT INCLUDE CUSTOMERS IN THE  
16 CERTIFICATED TERRITORIES OF MUNICIPALLY OWNED ELECTRIC UTILITIES  
17 OR COOPERATIVE ELECTRIC ASSOCIATIONS;

18 (XVII) THE IMPACT OF ALLOWING CCE IN COLORADO ON THE  
19 ABILITY OF COLORADO TO REACH ITS CLEAN ENERGY AND GREENHOUSE  
20 GAS REDUCTION GOALS AND WHAT LEGISLATIVE AND REGULATORY  
21 REQUIREMENTS FOR CCE WOULD BE NEEDED TO FACILITATE REACHING  
22 THOSE GOALS;

23 (XVIII) THE IMPACT, BOTH POSITIVE AND NEGATIVE, OF CCE IN  
24 COMMUNITIES THAT HAVE FORMED OR JOINED A CCE AUTHORITY IN  
25 STATES THAT HAVE ENABLED THE WHOLESALE, OPT-OUT MODEL OF CCE;

26 (XIX) THE IMPACT OF CCE ON LOW-INCOME CUSTOMERS,  
27 INCLUDING THE AVAILABILITY OF LOW-INCOME PROGRAMS OFFERED  
28 THROUGH THE INVESTOR-OWNED ELECTRIC UTILITY TO CCE CUSTOMERS  
29 AND THE ABILITY OF CCE AUTHORITIES TO ESTABLISH ADDITIONAL  
30 PROGRAMS TO ASSIST LOW-INCOME CUSTOMERS; AND

31 (XX) THE RISKS A CCE AUTHORITY MIGHT FACE THAT MERIT  
32 CONSIDERATION, SUCH AS RESOURCE PRICE RISKS, CONTRACT RISKS, OR  
33 LOAD DEFECTION, AND THEIR SIGNIFICANCE.

34 (d) **Report.** THE COMMISSION SHALL SUMMARIZE ITS FINDINGS,  
35 CONCLUSIONS, AND RECOMMENDATIONS FROM THE INVESTIGATORY  
36 DOCKET AND FROM THE CONCURRENT FEASIBILITY STUDY REQUIRED IN  
37 SUBSECTION (3) OF THIS SECTION IN A FINAL REPORT TO THE  
38 TRANSPORTATION AND ENERGY COMMITTEE OF THE SENATE AND THE  
39 ENERGY AND ENVIRONMENT COMMITTEE OF THE HOUSE OF  
40 REPRESENTATIVES, OR THEIR SUCCESSOR COMMITTEES. THE COMMISSION  
41 SHALL SUBMIT THE REPORT ON OR BEFORE JUNE 1, 2021.

1 RECOMMENDATIONS MAY BE SPLIT INTO MAJORITY VIEWS AND DISSENTING  
2 VIEWS IF NECESSARY.

3 (5) **Repeal.** THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1,  
4 2023.

5 **SECTION 2. Safety clause.** The general assembly hereby finds,  
6 determines, and declares that this act is necessary for the immediate  
7 preservation of the public peace, health, or safety."

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