

CHAPTER 224

PUBLIC UTILITIES

SENATE BILL 17-105

BY SENATOR(S) Garcia, Cooke, Fenberg, Jones, Aguilar, Court, Fields, Guzman, Kagan, Kefalas, Kerr, Merrifield, Moreno, Todd, Zenzinger, Grantham;
 also REPRESENTATIVE(S) Becker K. and Esgar, Hooton, Bridges, Buckner, Danielson, Exum, Gray, Hamner, Hansen, Herod, Kennedy, Kraft-Tharp, Lebsock, Lee, Lontine, Melton, Mitsch Bush, Navarro, Pettersen, Rosenthal, Salazar, Singer, Weissman, Winter, Young, Duran.

AN ACT

CONCERNING CONSUMERS' RIGHT TO KNOW THEIR ELECTRIC UTILITY CHARGES BY REQUIRING INVESTOR-OWNED ELECTRIC UTILITIES TO PROVIDE THEIR CUSTOMERS WITH A COMPREHENSIVE BREAKDOWN OF COST ON THEIR MONTHLY BILLS.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, **amend** 40-3-103 as follows:

40-3-103. Utilities to file rate schedules - rules. (1) Under ~~such~~ THE rules as PRESCRIBED BY the commission, ~~may prescribe, every~~ EACH public utility shall file with the commission, within ~~such~~ THE time and in ~~such~~ THE form as DESIGNATED BY the commission, ~~may designate,~~ and shall print and keep open to public inspection, schedules showing all rates, tolls, rentals, charges, and classifications collected or enforced, or to be collected and enforced, together with all rules, regulations, contracts, privileges, and facilities that in any manner affect or relate to rates, tolls, rentals, classifications, or service.

(2) (a) ON OR AFTER JANUARY 1, 2018, ON A SCHEDULE DETERMINED BY THE COMMISSION, EACH INVESTOR-OWNED ELECTRIC UTILITY SHALL FILE FOR THE COMMISSION'S REVIEW A COMPREHENSIVE BILLING FORMAT THAT THE INVESTOR-OWNED ELECTRIC UTILITY HAS DEVELOPED FOR ITS MONTHLY BILLING OF CUSTOMERS. THE COMPREHENSIVE BILLING FORMAT MUST INCLUDE THE FOLLOWING COMPONENTS OF A CUSTOMER'S MONTHLY BILL:

(I) A LINE-ITEM REPRESENTATION OF ALL MONTHLY CHARGES AND CREDITS APPLIED TO THE CUSTOMER AND AN INDICATION OF WHETHER THE CHARGES HAVE

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

CHANGED FROM THE PRIOR MONTH AS A RESULT OF CHANGES IN FUEL COSTS;

(II) FOR MONTHS IN WHICH TIERED RATES ARE APPLIED, A BREAKDOWN OF THE TIERED RATES AND THE AMOUNT OF USAGE TO WHICH EACH RATE WAS APPLIED FOR THE MONTH;

(III) THE DAILY AVERAGE COST FOR THE CURRENT MONTH COMPARED TO THE SAME MONTH IN THE PREVIOUS CALENDAR YEAR;

(IV) A GLOSSARY OF TERMS USED BY THE UTILITY IN THE MONTHLY BILL;

(V) A DESCRIPTION OF EACH OF THE MONTHLY FEES THAT THE UTILITY MAY CHARGE THE CUSTOMER;

(VI) THE USAGE FOR THE CURRENT MONTH AND EACH OF THE PREVIOUS TWELVE MONTHS, AS SHOWN IN A BAR GRAPH OR SIMILAR VISUAL FORMAT; AND

(VII) FOR CUSTOMERS TO WHICH DEMAND RATES APPLY, A LISTING OF THE APPLICABLE DEMAND CHARGE, THE PEAK DEMAND DURING THE BILLING PERIOD, AND, PROVIDED THE UTILITY CAN REASONABLY ASCERTAIN SUCH DATA, THE DATE AND TIME AT WHICH THE PEAK DEMAND OCCURRED.

(b) EACH INVESTOR-OWNED ELECTRIC UTILITY SHALL PROVIDE ITS CUSTOMERS, ON A BIENNIAL BASIS, WITH EITHER AN ONSERT OR AN INSERT THAT INDICATES, AS A PERCENTAGE, EACH FUEL SOURCE USED IN POWER GENERATION AND PURCHASED FOR THAT UTILITY, INCLUDING RENEWABLE ENERGY SOURCES, NATURAL GAS, AND COAL.

(c) (I) THE COMMISSION SHALL REVIEW A FILING SUBMITTED PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION WITHIN THIRTY DAYS AFTER THE FILING. IF THE COMMISSION DETERMINES THAT THE FILING DOES NOT MEET THE COMPREHENSIVE BILLING FORMAT REQUIREMENTS SET FORTH IN SUBSECTION (2)(a) OF THIS SECTION, THE COMMISSION MAY REQUIRE THE INVESTOR-OWNED ELECTRIC UTILITY TO RESUBMIT A COMPREHENSIVE BILLING FORMAT IN COMPLIANCE WITH THE REQUIREMENTS. THE COMMISSION SHALL NOTIFY THE INVESTOR-OWNED ELECTRIC UTILITY IN WRITING OF THE REASONS FOR THE DEFICIENCY, AND THE INVESTOR-OWNED ELECTRIC UTILITY SHALL RESUBMIT A COMPREHENSIVE BILLING FORMAT IN COMPLIANCE WITH THE REQUIREMENTS OF SUBSECTION (2)(a) OF THIS SECTION WITHIN SIXTY DAYS AFTER THE DATE OF THE COMMISSION'S NOTICE OF DEFICIENCY; EXCEPT THAT THE COMMISSION MAY, UPON REQUEST, EXTEND THE DEADLINE.

(II) AFTER THE COMMISSION HAS APPROVED A COMPREHENSIVE BILLING FORMAT SUBMITTED BY AN INVESTOR-OWNED ELECTRIC UTILITY PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION, THE INVESTOR-OWNED ELECTRIC UTILITY NEED NOT RESUBMIT A COMPREHENSIVE BILLING FORMAT UNLESS THE INVESTOR-OWNED ELECTRIC UTILITY MAKES CHANGES TO ITS COMPREHENSIVE BILLING FORMAT.

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

Approved: May 22, 2017