

**First Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 19-1108.01 Thomas Morris x4218

SENATE BILL 19-250

SENATE SPONSORSHIP

Garcia and Scott, Cooke, Coram, Fields, Gardner, Holbert, Marble, Rankin, Sonnenberg,
Tate

HOUSE SPONSORSHIP

Esgar and Rich,

Senate Committees

State, Veterans, & Military Affairs

House Committees

A BILL FOR AN ACT

101 **CONCERNING RATEPAYER PROTECTIONS REGARDING ELECTRIC**
102 **UTILITIES' ABILITY TO ESTABLISH A GRADUATED SCALE OF**
103 **CHARGES.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Current law allows heat, light, gas, water, power, and telephone utilities to establish a graduated scale of charges known as tiered rates. Based on a legislative finding that electric utilities' generation costs have substantially declined, the bill requires electric utilities that are currently charging a residential tiered rate to file with the public utilities

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

SENATE
3rd Reading Unamended
May 2, 2019

SENATE
Amended 2nd Reading
May 1, 2019

commission a revised residential rate design by April 30, 2020, to take effect on or before June 1, 2020, that collapses the residential summer tiered rate into a single rate that applies to all kilowatt-hours consumed by the residential customer during the summer. The single rate must be designed to collect the same revenues during the summer as the tiered rate was designed to collect. An electric utility cannot charge a residential tiered rate or residential inverted block rate until the utility files a new electric rate case.

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

2 **SECTION 1.** In Colorado Revised Statutes, 40-3-106, **amend** (2)
3 as follows:

4 **40-3-106. Advantages prohibited - graduated schedules -**
5 **consideration of household income and other factors - legislative**
6 **finding - definitions - repeal.** (2) (a) Nothing in articles 1 to 7 of this
7 title shall be taken to prohibit TITLE 40 PROHIBITS a public utility engaged
8 in the production, generation, transmission, or furnishing of heat, light,
9 gas, water, power, or telephone service from establishing a graduated
10 scale of charges subject to ~~the provisions of this title~~ TITLE 40.

11 =
12 (b) (I) THE LEGISLATIVE INVESTOR-OWNED UTILITY REVIEW
13 INTERIM STUDY COMMITTEE SHALL STUDY TIERED ELECTRIC RATES. THE
14 COMMITTEE SHALL CONSIDER THE FOLLOWING ITEMS IN ITS STUDY:

15 (A) THE IMPACTS ON RESIDENTIAL CUSTOMERS OF TIERED RATES;

16 (B) THE APPROPRIATE LEVELS FOR TIERED RATES;

17 (C) THE EFFECT OF TIERED RATES ON RESIDENTIAL ENERGY USAGE;

18 AND

19 (D) THE IMPACT OF SEASONAL TIERED RATES.

20 (II) NOTWITHSTANDING ANY PREVIOUS LIMITATION ON THE
21 NUMBER OF MEETINGS THAT THE LEGISLATIVE INVESTOR-OWNED UTILITY

1 REVIEW INTERIM STUDY COMMITTEE MAY HOLD, THE COMMITTEE MAY
2 HOLD FOUR MEETINGS DURING THE 2019 INTERIM.

3 (III) THIS SUBSECTION (2)(b) IS REPEALED, EFFECTIVE SEPTEMBER
4 1, 2020.

5 **SECTION 2. Act subject to petition - effective date -**
6 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
7 the expiration of the ninety-day period after final adjournment of the
8 general assembly (August 2, 2019, if adjournment sine die is on May 3,
9 2019); except that, if a referendum petition is filed pursuant to section 1
10 (3) of article V of the state constitution against this act or an item, section,
11 or part of this act within such period, then the act, item, section, or part
12 will not take effect unless approved by the people at the general election
13 to be held in November 2020 and, in such case, will take effect on the
14 date of the official declaration of the vote thereon by the governor.

15 (2) This act applies to conduct occurring on or after the applicable
16 effective date of this act.