

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 24-0308.01 Christopher McMichael x4775

SENATE BILL 24-207

SENATE SPONSORSHIP

Fenberg and Hansen,

HOUSE SPONSORSHIP

Soper and Valdez,

Senate Committees

Transportation & Energy
Finance
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING ACCESS TO DISTRIBUTED ENERGY, AND, IN CONNECTION**
102 **THEREWITH, ESTABLISHING REQUIREMENTS FOR THE**
103 **DEVELOPMENT OF INCLUSIVE COMMUNITY SOLAR CAPACITY**
104 **THAT INVESTOR-OWNED ELECTRIC UTILITIES MUST MAKE**
105 **AVAILABLE TO UTILITY CUSTOMERS, REQUIRING THE**
106 **ACQUISITION OF DISTRIBUTED GENERATION FACILITIES PAIRED**
107 **WITH ENERGY STORAGE, AND MAKING AN APPROPRIATION.**

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>.)

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

On or after January 1, 2026, but before February 1, 2026, an investor-owned electric utility (utility) with more than 500,000 customers must make at least 50 megawatts of inclusive community solar capacity available, and a utility with 500,000 or fewer customers must make at least 4 megawatts of inclusive community solar available.

Before February 1, 2027, a utility with more than 500,000 customers must make an additional 50 megawatts of inclusive community solar capacity available, plus any unclaimed capacity left over from the previous allocation cycle, and a utility with 500,000 or fewer customers must make an additional 4 megawatts of inclusive community solar available.

Under current law, a utility customer may subscribe to a portion of a community solar facility. The customer then receives a bill credit on the customer's monthly utility bill in an amount proportional to the customer's share of the community solar facility output. Current law establishes limits on the amount of output from community solar facilities that a utility may purchase.

The bill requires a utility to acquire the entire output of a community solar facility that is allocated capacity on or after January 1, 2026, (new facility) and apply community solar bill credits to that new facility's subscribers. The bill requires a new facility to:

- Not exceed 5 megawatts of capacity, measured in alternating current;
- Interconnect with a utility's distribution system;
- Comply with applicable requirements of the "Colorado Energy Sector Public Works Project Craft Labor Requirements Act";
- Reserve at least 51% of its capacity for income-qualified subscribers;
- Not allocate more than 40% of the new facility's capacity to a single subscriber; and
- Supply to a subscriber of the new facility no more than 120% of the expected average annual total consumption of electricity by the subscriber.

The bill affords certain protections for subscribers of new facilities. Subscriber organizations and subscription coordinators are prohibited from:

- Using credit scores, customer scores, or any utility deposit to deny prospective residential subscribers;
- Charging a sign-up or termination fee to residential subscribers;
- Engaging in misleading conduct or making false representations toward prospective subscribers; and
- Preventing a subscriber from transferring a subscription within the utility's service territory if the subscriber moves

residences.

A subscriber organization shall provide an income-qualified subscriber of a new facility with a subscription discount of at least:

- 25% of the value of the community solar bill credit;
- 30% of the value of the community solar bill credit if the new facility receives federal tax credits from the federal "Inflation Reduction Act of 2022" for the specific purpose of being located in an energy community; and
- 50% of the value of the community solar bill credit if the new facility receives federal tax credits from the federal "Inflation Reduction Act of 2022" specifically for providing income-qualified households with utility bill assistance.

The commission must also adopt a standardized form that contains relevant information and disclosures that subscriber organizations and subscription coordinators must provide to prospective subscribers.

The bill also directs the commission to establish:

- Cost-sharing mechanisms for new facilities that are connecting to the utility's distribution system, in which the new facility is required to pay only for its proportional share of system upgrades; and
- Reporting requirements for a utility regarding cost-sharing mechanisms and the cost-effectiveness of the utility's interconnection of new facilities when submitting a distribution system plan.

The commission may approve, conditionally approve, modify, or reject any distribution system plans proposed by a utility based on the utility's plans for interconnecting new facilities.

The bill authorizes the commission to approve cost recovery for energy purchased from a community solar facility by an investor-owned electric utility.

The bill also requires a utility with more than 500,000 customers to acquire 50 megawatts of distributed generation paired with energy storage by June 1, 2026, and an additional 50 megawatts of distributed generation paired with energy storage between January 1, 2027, and June 1, 2027.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that inclusive community solar:

4 (a) Provides electric utilities, ratepayers, and communities the

- 1 opportunity to realize the benefits of distributed energy generation;
- 2 (b) Expands equitable access to the clean energy transition for all
3 ratepayers and communities, particularly for income-qualified
4 households, renters, and other individuals who might not be able to install
5 on-site solar energy systems at their residences;
- 6 (c) Strengthens the security and reliability of the electric grid by
7 diversifying Colorado's electricity generation resources; and
- 8 (d) Contributes to the timely achievement of Colorado's
9 greenhouse gas emission reduction goals.
- 10 (2) The generally assembly further finds and declares that:
- 11 (a) Distributed generation that is paired with energy storage and
12 interconnected to the distribution grid can provide unique benefits to
13 electric ratepayers in Colorado, including:
- 14 (I) Alleviating stress on electric grid infrastructure in a
15 cost-effective manner, which makes it possible to defer or avoid costly
16 distribution and transmission system investments;
- 17 (II) Increasing the resilience and reliability of the electric
18 distribution grid;
- 19 (III) Avoiding or reducing negative impacts to the health, safety,
20 and welfare of Coloradans, especially for vulnerable populations;
- 21 (IV) Providing energy and capacity during times of peak demand
22 resulting in lower overall system costs; and
- 23 (V) Reducing utility-scale curtailment of solar output, which is
24 expected to be a growing problem during afternoon hours; and
- 25 (b) The deployment of distributed generation that is paired with
26 energy storage and interconnected to the distribution grid can result in
27 efficient system integration, optimized system value, and reduced

1 systemwide curtailment of energy generation, which will provide benefits
2 to electric ratepayers in Colorado.

3 (3) The general assembly further declares that:

4 (a) Colorado's existing community solar development should be
5 updated and made more inclusive to afford more Coloradans access to the
6 benefits of distributed energy resources and to position Colorado to take
7 advantage of federal funding under the federal "Inflation Reduction Act
8 of 2022"; and

9 (b) Enabling dispatchable distributed generation is in the public
10 interest and is necessary for a timely transition to clean, affordable, and
11 reliable energy.

12 **SECTION 2.** In Colorado Revised Statutes, 40-2-127, **add** (8) as
13 follows:

14 **40-2-127. Community energy funds - community solar**
15 **gardens - definitions - rules - legislative declaration - applicability -**
16 **repeal. (8) Applicability. (a) THIS SECTION APPLIES TO COMMUNITY**
17 **SOLAR CAPACITY THAT IS ALLOCATED ON OR BEFORE DECEMBER 31, 2025.**

18 (b) COMMUNITY SOLAR CAPACITY THAT IS ALLOCATED ON OR
19 AFTER JANUARY 1, 2026, IS ALLOCATED PURSUANT TO SECTION
20 40-2-127.2.

21 **SECTION 3.** In Colorado Revised Statutes, **add** 40-2-127.2 as
22 follows:

23 **40-2-127.2. Inclusive community solar development -**
24 **definitions - subscription requirements - program capacity - energy**
25 **bill credits - administration - rules - reports - applicability.**

26 (1) **Definitions - rules.** AS USED IN THIS SECTION, UNLESS THE CONTEXT
27 OTHERWISE REQUIRES:

1 (a) "AGRIVOLTAICS" HAS THE MEANING SET FORTH IN SECTION
2 35-1-114 (4)(a).

3 (b) (I) "COMMUNITY SOLAR BILL CREDIT" MEANS THE CREDIT
4 VALUE OF THE ELECTRICITY GENERATED BY A COMMUNITY SOLAR
5 FACILITY AND ALLOCATED TO A SUBSCRIBER TO OFFSET THE SUBSCRIBER'S
6 UTILITY BILL.

7 (II) A "COMMUNITY SOLAR BILL CREDIT" IS CALCULATED
8 PURSUANT TO THE NET METERING CREDIT METHODOLOGY ESTABLISHED IN
9 SECTION 40-2-127 (5)(b)(II)(A) TO (5)(b)(II)(H).

10 (c) "COMMUNITY SOLAR FACILITY", "COMMUNITY SOLAR
11 PROJECT", OR "FACILITY" MEANS A FACILITY:

12 (I) OWNED BY A SUBSCRIBER ORGANIZATION THAT GENERATES
13 ELECTRICITY BY MEANS OF A SOLAR PHOTOVOLTAIC DEVICE;

14 (II) THROUGH WHICH A SUBSCRIBER TO THE FACILITY RECEIVES A
15 COMMUNITY SOLAR BILL CREDIT FOR THE ELECTRICITY GENERATED IN
16 PROPORTION TO THE SUBSCRIBER'S SHARE OF THE FACILITY'S
17 KILOWATT-HOUR OUTPUT;

18 (III) THAT CONSTITUTES "RETAIL DISTRIBUTED GENERATION" AS
19 DESCRIBED IN SECTION 40-2-124; AND

20 (IV) THAT IS ALLOCATED INCLUSIVE COMMUNITY SOLAR CAPACITY
21 ON OR AFTER JANUARY 1, 2026.

22 (d) "CONSOLIDATED BILLING" MEANS THE INCLUSION OF THE
23 COMMUNITY SOLAR BILL CREDIT AND THE SUBSCRIPTION CHARGES ON A
24 CUSTOMER'S MONTHLY ELECTRIC UTILITY BILL.

25 (e) "INCLUSIVE COMMUNITY SOLAR" MEANS THE CAPACITY,
26 INTERCONNECTION, AND SUBSCRIPTION REQUIREMENTS SET FORTH IN THIS
27 SECTION WITH WHICH AN INVESTOR-OWNED ELECTRIC UTILITY,

1 SUBSCRIBER ORGANIZATION, AND SUBSCRIPTION COORDINATOR MUST
2 COMPLY WITH REGARD TO COMMUNITY SOLAR FACILITIES THAT ARE
3 ALLOCATED CAPACITY ON OR AFTER JANUARY 1, 2026.

4 (f) "INCOME-QUALIFIED SUBSCRIBER" MEANS A RESIDENTIAL
5 UTILITY CUSTOMER WHO:

6 (I) HAS A HOUSEHOLD INCOME AT OR BELOW TWO HUNDRED
7 PERCENT OF THE CURRENT FEDERAL POVERTY LINE, AS DEFINED IN 42
8 U.S.C. SEC. 9902 (2);

9 (II) HAS A HOUSEHOLD INCOME AT OR BELOW EIGHTY PERCENT OF
10 THE AREA MEDIAN INCOME, AS DETERMINED BY THE UNITED STATES
11 DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT;

12 (III) MEETS INCOME ELIGIBILITY REQUIREMENTS AS DETERMINED
13 BY THE COLORADO DEPARTMENT OF HUMAN SERVICES BY RULE PURSUANT
14 TO SECTION 40-8.5-105; OR

15 (IV) DEMONSTRATES PARTICIPATION IN ONE OR MORE OF THE
16 INCOME-QUALIFIED PROGRAMS THAT ARE LISTED IN SUBSECTION (5)(c)(III)
17 OF THIS SECTION OR THAT THE COMMISSION DETERMINES PURSUANT TO
18 SUBSECTION (5)(c)(III)(G) OF THIS SECTION QUALIFIES A PROSPECTIVE
19 SUBSCRIBER FOR ELIGIBILITY AS AN INCOME-QUALIFIED SUBSCRIBER.

20 (g) "INVESTOR-OWNED ELECTRIC UTILITY" OR "UTILITY" MEANS A
21 RETAIL ELECTRIC UTILITY IN THE STATE THAT IS NOT A COOPERATIVE
22 ELECTRIC ASSOCIATION OR A MUNICIPALLY OWNED ELECTRIC UTILITY.

23 (h) "PREFERRED LOCATION" MEANS LOCATION ON A ROOFTOP; A
24 PARKING LOT; ANOTHER IMPERVIOUS SURFACE; A BROWNFIELD SITE, AS
25 DEFINED IN 42 U.S.C. SEC. 9601 (39), AS AMENDED; A BODY OF WATER; A
26 MUNICIPAL PROPERTY; A STATE PROPERTY; OR ANOTHER PREVIOUSLY
27 DISTURBED LOCATION AS ESTABLISHED BY THE COMMISSION AS PART OF

1 A DISTRIBUTION SYSTEM PLAN PURSUANT TO SECTION 40-2-132 OR OTHER
2 APPROPRIATE PROCEEDING.

3 (i) "SUBSCRIBER" MEANS A RETAIL CUSTOMER OF AN
4 INVESTOR-OWNED ELECTRIC UTILITY THAT HAS ONE OR MORE
5 SUBSCRIPTIONS WITH A COMMUNITY SOLAR FACILITY THAT IS
6 INTERCONNECTED WITH THE UTILITY.

7 (j) "SUBSCRIBER ORGANIZATION" MEANS A PERSON THAT
8 DEVELOPS, OWNS, OR OPERATES A COMMUNITY SOLAR FACILITY AND MAY
9 INCLUDE A MUNICIPALITY, A COUNTY, A FOR-PROFIT ORGANIZATION, OR A
10 NONPROFIT ORGANIZATION BUT DOES NOT INCLUDE AN INVESTOR-OWNED
11 ELECTRIC UTILITY.

12 (k) "SUBSCRIPTION" MEANS A CONTRACT BETWEEN A SUBSCRIBER
13 AND A SUBSCRIBER ORGANIZATION OR A SUBSCRIPTION COORDINATOR FOR
14 A PORTION OF THE OUTPUT OF A COMMUNITY SOLAR FACILITY.

15 (l) "SUBSCRIPTION COORDINATOR" MEANS A PERSON THAT:

16 (I) MARKETS COMMUNITY SOLAR ENERGY GENERATING FACILITIES
17 OR OTHERWISE PROVIDES SERVICES RELATED TO COMMUNITY SOLAR
18 FACILITIES;

19 (II) PERFORMS ANY ADMINISTRATIVE ACTION TO ALLOCATE
20 SUBSCRIPTIONS FOR A COMMUNITY SOLAR FACILITY, CONNECT A
21 SUBSCRIBER TO A COMMUNITY SOLAR FACILITY, OR ENROLL A CUSTOMER
22 IN A COMMUNITY SOLAR FACILITY; AND

23 (III) MANAGES INTERACTIONS BETWEEN A SUBSCRIBER
24 ORGANIZATION AND AN INVESTOR-OWNED ELECTRIC UTILITY.

25 (2) **Community solar facility and subscription requirements**

26 - **rules.** (a) A COMMUNITY SOLAR FACILITY MUST:

27 (I) HAVE A NAMEPLATE CAPACITY RATING OF FIVE MEGAWATTS OR

1 LESS, AS MEASURED IN ALTERNATING CURRENT;

2 (II) INTERCONNECT TO THE ELECTRIC DISTRIBUTION SYSTEM OF AN
3 INVESTOR-OWNED ELECTRIC UTILITY;

4 (III) COMPLY WITH ALL APPLICABLE REQUIREMENTS OF THE
5 "COLORADO ENERGY SECTOR PUBLIC WORKS PROJECT CRAFT LABOR
6 REQUIREMENTS ACT", PART 3 OF ARTICLE 92 OF TITLE 24, IF THE
7 COMMUNITY SOLAR FACILITY QUALIFIES AS AN "ENERGY SECTOR PUBLIC
8 WORKS PROJECT" AS DEFINED IN SECTION 24-92-303 (5);

9 (IV) RESERVE AT LEAST FIFTY-ONE PERCENT OF THE COMMUNITY
10 SOLAR FACILITY CAPACITY FOR SUBSCRIBERS WHO ARE INCOME-QUALIFIED
11 SUBSCRIBERS; AND

12 (V) NOT ALLOCATE TO A SINGLE SUBSCRIBER MORE THAN FORTY
13 PERCENT OF THE GENERATING CAPACITY OF THE FACILITY.

14 (b) A SUBSCRIPTION TO A COMMUNITY SOLAR FACILITY MUST:

15 (I) SUPPLY NO MORE THAN ONE HUNDRED AND TWENTY PERCENT
16 OF THE SUBSCRIBER'S REASONABLY EXPECTED AVERAGE ANNUAL TOTAL
17 CONSUMPTION OF ELECTRICITY; EXCEPT THAT NO MORE THAN TWO
18 HUNDRED PERCENT OF A SUBSCRIBER'S REASONABLY EXPECTED AVERAGE
19 ANNUAL TOTAL CONSUMPTION OF ELECTRICITY MAY BE SUPPLIED TO A
20 SUBSCRIBER WHO IS A DIRECT BILL, INCOME-QUALIFIED SUBSCRIBER; AND

21 (II) BE PORTABLE AND TRANSFERABLE WITHIN THE SERVICE
22 TERRITORY OF THE INVESTOR-OWNED ELECTRIC UTILITY IN WHICH THE
23 COMMUNITY SOLAR FACILITY IS INTERCONNECTED TO THE UTILITY'S
24 ELECTRIC GRID.

25 (c) COMMUNITY SOLAR FACILITIES THAT ARE OWNED BY THE SAME
26 SUBSCRIBER ORGANIZATION OR BY PERSONS AFFILIATED WITH THE
27 SUBSCRIBER ORGANIZATION MUST NOT EXCEED FIVE MEGAWATT CAPACITY

1 MEASURED IN ALTERNATING CURRENT ON A SINGLE PARCEL OF LAND IN AN
2 ANNUAL CAPACITY ALLOCATION CYCLE.

3 (d) A COMMUNITY SOLAR FACILITY THAT IS SITED ON A PREFERRED
4 LOCATION OR THAT UTILIZES AGRIVOLTAICS MAY HAVE AN AGGREGATE
5 CAPACITY OF UP TO TEN MEGAWATTS MEASURED IN ALTERNATING
6 CURRENT.

7 (3) **Inclusive community solar capacity - allocation -**
8 **interconnection application - rules.** (a) (I) ON OR AFTER JANUARY 1,
9 2026, BUT BEFORE FEBRUARY 1, 2026, AN INVESTOR-OWNED ELECTRIC
10 UTILITY WITH MORE THAN FIVE HUNDRED THOUSAND CUSTOMERS SHALL
11 MAKE AVAILABLE AN ANNUAL CAPACITY ALLOCATION OF AT LEAST FIFTY
12 MEGAWATTS OF INCLUSIVE COMMUNITY SOLAR CAPACITY, AND MAKE
13 AVAILABLE ANY UNCLAIMED COMMUNITY SOLAR CAPACITY AS
14 DETERMINED IN THE UTILITY'S MOST RECENT COMMISSION-APPROVED
15 RENEWABLE ENERGY PLAN, IN ACCORDANCE WITH THIS SECTION.

16 (II) ON OR BEFORE FEBRUARY 1, 2027, AN INVESTOR-OWNED
17 ELECTRIC UTILITY WITH MORE THAN FIVE HUNDRED THOUSAND
18 CUSTOMERS SHALL MAKE AVAILABLE AN ANNUAL CAPACITY ALLOCATION
19 OF AT LEAST FIFTY MEGAWATTS OF INCLUSIVE COMMUNITY SOLAR
20 CAPACITY, AND MAKE AVAILABLE ANY UNCLAIMED INCLUSIVE
21 COMMUNITY SOLAR CAPACITY FROM THE PREVIOUS ALLOCATION CYCLE,
22 IN ACCORDANCE WITH THIS SECTION.

23 (b) (I) ON OR AFTER JANUARY 1, 2026, BUT BEFORE FEBRUARY 1,
24 2026, AN INVESTOR-OWNED ELECTRIC UTILITY WITH FIVE HUNDRED
25 THOUSAND OR FEWER CUSTOMERS SHALL MAKE AVAILABLE AN ANNUAL
26 CAPACITY ALLOCATION OF FOUR MEGAWATTS OF INCLUSIVE COMMUNITY
27 SOLAR CAPACITY IN ACCORDANCE WITH THIS SECTION.

1 (II) ON OR BEFORE FEBRUARY 1, 2027, AN INVESTOR-OWNED
2 ELECTRIC UTILITY WITH FIVE HUNDRED THOUSAND OR FEWER CUSTOMERS
3 SHALL MAKE AVAILABLE AN ANNUAL CAPACITY ALLOCATION OF FOUR
4 MEGAWATTS OF INCLUSIVE COMMUNITY SOLAR CAPACITY AVAILABLE IN
5 ACCORDANCE WITH THIS SECTION.

6 (c) ON OR BEFORE FEBRUARY 1, 2028, AND PERIODICALLY
7 THEREAFTER, THE COMMISSION SHALL DETERMINE, BY RULE OR BY ORDER,
8 THE AMOUNT OF INCLUSIVE COMMUNITY SOLAR CAPACITY THAT
9 INVESTOR-OWNED ELECTRIC UTILITIES ARE REQUIRED TO MAKE AVAILABLE
10 AND MAY ADJUST ANY REQUIREMENTS RELATED TO INCLUSIVE
11 COMMUNITY SOLAR SPECIFIED IN THIS SECTION.

12 (d) (I) ALL INCLUSIVE COMMUNITY SOLAR CAPACITY MADE
13 AVAILABLE PURSUANT TO THIS SECTION MUST BE ALLOCATED TO A
14 SUBSCRIBER ORGANIZATION THAT DEMONSTRATES SITE CONTROL, HAS
15 RECEIVED ALL APPLICABLE NONMINISTERIAL PERMITS, AND HAS AN
16 EXECUTED INTERCONNECTION AGREEMENT WITH THE RELEVANT UTILITY.

17 (II) EXCEPT AS PROVIDED IN SUBSECTION (8)(b)(II) OF THIS
18 SECTION, INCLUSIVE COMMUNITY SOLAR CAPACITY MUST BE ALLOCATED
19 ON A FIRST-COME, FIRST-SERVED BASIS BASED ON THE DAY THE
20 APPLICATION IS RECEIVED.

21 (e) IN ORDER TO FACILITATE EQUITABLE ACCESS TO CLEAN
22 ENERGY, AN INVESTOR-OWNED ELECTRIC UTILITY SHALL ALLOW ALL
23 INTERCONNECTION APPLICANTS FOR RETAIL DISTRIBUTED GENERATION
24 PROJECTS AS DESCRIBED IN SECTION 40-2-124, INCLUDING COMMUNITY
25 SOLAR FACILITIES, TO BEGIN THE INTERCONNECTION PROCESS NO LATER
26 THAN SIXTY DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION.

27 (4) **Community solar bill credits, unsubscribed electricity, and**

1 **renewable energy credits - rules.** (a) BEGINNING JANUARY 1, 2026, AN
2 INVESTOR-OWNED ELECTRIC UTILITY SHALL:

3 (I) ACQUIRE THE ENTIRE ELECTRICAL OUTPUT OF A COMMUNITY
4 SOLAR FACILITY THAT IS CONNECTED TO THE UTILITY'S DISTRIBUTION
5 SYSTEM;

6 (II) APPLY COMMUNITY SOLAR BILL CREDITS TO SUBSCRIBERS'
7 MONTHLY BILLS AS SOON AS PRACTICABLE BUT NO LATER THAN SIXTY
8 DAYS AFTER THE MONTH DURING WHICH THE COMMUNITY SOLAR FACILITY
9 GENERATED THE ELECTRICITY;

10 (III) PROVIDE COMMUNITY SOLAR BILL CREDITS TO A COMMUNITY
11 SOLAR FACILITY'S SUBSCRIBERS FOR A TERM OF TWENTY YEARS AFTER THE
12 DATE THE FACILITY BEGINS GENERATING BILL CREDITS OR UNTIL THE
13 COMMUNITY SOLAR FACILITY IS DECOMMISSIONED OR THE SUBSCRIBER
14 ORGANIZATION CEASES OPERATIONS OF A COMMUNITY SOLAR FACILITY,
15 WHICHEVER OCCURS FIRST;

16 (IV) CARRY OVER ANY AMOUNT OF A COMMUNITY SOLAR BILL
17 CREDIT THAT EXCEEDS THE SUBSCRIBER'S MONTHLY BILL AND APPLY IT TO
18 THE SUBSCRIBER'S NEXT MONTHLY BILL UNTIL THE SUBSCRIBER CANCELS
19 SERVICE WITH THE UTILITY, AT WHICH POINT THE UTILITY SHALL DONATE
20 ANY REMAINING COMMUNITY SOLAR BILL CREDITS TO A THIRD-PARTY
21 ADMINISTRATOR THAT IS QUALIFIED AND APPROVED BY THE UTILITY FOR
22 THE PURPOSE OF PROVIDING ENERGY ASSISTANCE AND BILL REDUCTIONS
23 TO INCOME-QUALIFIED SUBSCRIBERS WITHIN THE UTILITY'S SERVICE
24 TERRITORY;

25 (V) ON A MONTHLY BASIS, PROVIDE TO A SUBSCRIBER
26 ORGANIZATION OR SUBSCRIPTION COORDINATOR A REPORT INDICATING
27 THE TOTAL VALUE OF COMMUNITY SOLAR BILL CREDITS GENERATED BY

1 THE COMMUNITY SOLAR FACILITY IN THE PRIOR MONTH AND THE AMOUNT
2 OF THE COMMUNITY SOLAR BILL CREDITS APPLIED TO EACH SUBSCRIBER;
3 AND

4 (VI) PROVIDE, IF AN INVESTOR-OWNED ELECTRIC UTILITY HAS
5 MORE THAN FIVE HUNDRED THOUSAND CUSTOMERS, AT THE REQUEST OF
6 A SUBSCRIBER ORGANIZATION OR SUBSCRIPTION COORDINATOR,
7 CONSOLIDATED BILLING BY:

8 (A) INCLUDING THE SUBSCRIBER ORGANIZATION'S OR
9 SUBSCRIPTION COORDINATOR'S MONTHLY SUBSCRIPTION CHARGE ON THE
10 CUSTOMER'S MONTHLY BILL FOR ELECTRIC SERVICE AND SUPPLY FROM THE
11 UTILITY; AND

12 (B) REMITTING THE CUSTOMER'S PAYMENT OF THE SUBSCRIBER
13 ORGANIZATION'S OR SUBSCRIPTION COORDINATOR'S MONTHLY
14 SUBSCRIPTION CHARGE TO THE SUBSCRIBER ORGANIZATION OR
15 SUBSCRIPTION COORDINATOR.

16 (b) A SUBSCRIBER ORGANIZATION SHALL, ON A MONTHLY BASIS
17 AND IN AN ELECTRONIC FORMAT, PROVIDE THE INVESTOR-OWNED
18 ELECTRIC UTILITY A SUBSCRIBER LIST INDICATING THE KILOWATTS OF A
19 COMMUNITY SOLAR FACILITY'S NAMEPLATE CAPACITY ATTRIBUTABLE TO
20 EACH SUBSCRIBER. A SUBSCRIBER ORGANIZATION SHALL UPDATE
21 SUBSCRIBER LISTS MONTHLY TO REFLECT ANY NEW SUBSCRIBERS,
22 SUBSCRIBERS THAT HAVE CANCELED THEIR SUBSCRIPTION, OR
23 SUBSCRIBERS THAT HAVE ADJUSTED SUBSCRIPTION CAPACITY.

24 (c) (I) AN INVESTOR-OWNED ELECTRIC UTILITY'S PURCHASE OF THE
25 OUTPUT OF A COMMUNITY SOLAR FACILITY MUST TAKE THE FORM OF A
26 COMMUNITY SOLAR BILL CREDIT ON THE SUBSCRIBER'S MONTHLY BILL.

27 (II) AN INVESTOR-OWNED ELECTRIC UTILITY SHALL CALCULATE

1 THE COMMUNITY SOLAR BILL CREDIT ON A SUBSCRIBER'S MONTHLY BILL
2 PURSUANT TO THE METHODOLOGY ESTABLISHED FOR COMMUNITY SOLAR
3 GARDENS IN SECTION 40-2-127 (5)(b)(II)(A) TO (5)(b)(II)(H).

4 (d) IF A COMMUNITY SOLAR FACILITY IS NOT FULLY SUBSCRIBED IN
5 A GIVEN MONTH, THE UNSUBSCRIBED ELECTRICITY GENERATED BY THE
6 FACILITY MAY BE ROLLED FORWARD ON THE COMMUNITY SOLAR FACILITY
7 ACCOUNT FOR UP TO ONE YEAR AFTER THE MONTH OF GENERATION AND
8 ALLOCATED BY THE SUBSCRIBER ORGANIZATION OR SUBSCRIPTION
9 COORDINATOR TO SUBSCRIBERS AT ANY TIME DURING THAT YEAR. AT THE
10 END OF THE ONE-YEAR PERIOD IN WHICH THE UNSUBSCRIBED ELECTRICITY
11 WAS ROLLED FORWARD, ANY UNDISTRIBUTED COMMUNITY SOLAR BILL
12 CREDITS ARE REMOVED, AND THE INVESTOR-OWNED ELECTRIC UTILITY
13 WITH WHICH THE COMMUNITY SOLAR FACILITY IS INTERCONNECTED SHALL
14 PURCHASE THE UNSUBSCRIBED ENERGY AT THE UTILITY'S AVERAGE
15 HOURLY INCREMENTAL COST OF ELECTRICITY SUPPLY OVER THE
16 IMMEDIATELY PRECEDING CALENDAR YEAR.

17 (e) A SUBSCRIBER ORGANIZATION, SUBSCRIPTION COORDINATOR,
18 OR SUBSCRIBER MAY ELECT TO DONATE BANKED COMMUNITY SOLAR BILL
19 CREDITS TO A THIRD-PARTY ADMINISTRATOR THAT IS QUALIFIED AND
20 APPROVED BY THE UTILITY FOR THE PURPOSE OF PROVIDING ENERGY
21 ASSISTANCE AND BILL REDUCTIONS TO INCOME-QUALIFIED SUBSCRIBERS
22 WITHIN THE UTILITY'S SERVICE TERRITORY.

23 (f) THE SUBSCRIBER ORGANIZATION SHALL RETIRE ANY
24 RENEWABLE ENERGY CREDITS FOR ELECTRICITY GENERATED BY A
25 COMMUNITY SOLAR FACILITY ON BEHALF OF THE SUBSCRIBER IN THE YEAR
26 THE ELECTRICITY IS GENERATED. THE SUBSCRIBER ORGANIZATION SHALL
27 TRANSFER ANY RENEWABLE ENERGY CREDITS FOR UNSUBSCRIBED ENERGY

1 TO THE UTILITY, WHICH SHALL RETIRE THE CREDITS ON BEHALF OF THE
2 UTILITY'S CUSTOMERS IN THE YEAR THE CREDITS ARE GENERATED IN
3 ACCORDANCE WITH SECTION 25-7-105 (1)(e)(VIII)(H).

4 (5) **Subscriber enrollment, verification, and protections.**

5 (a) SUBSCRIBER ORGANIZATIONS, SUBSCRIPTION COORDINATORS, AND
6 REPRESENTATIVES OF SUCH PERSONS ARE PROHIBITED FROM:

7 (I) USING CREDIT SCORES, UTILITY CUSTOMER SCORES, OR ANY
8 UTILITY DEPOSIT REQUIREMENTS TO APPROVE OR DENY A PROSPECTIVE
9 RESIDENTIAL SUBSCRIBER'S PARTICIPATION IN A COMMUNITY SOLAR
10 FACILITY;

11 (II) CHARGING A SIGN-UP FEE OR TERMINATION FEE TO A
12 RESIDENTIAL SUBSCRIBER;

13 (III) ENGAGING IN MISLEADING OR DECEPTIVE CONDUCT; AND

14 (IV) MAKING FALSE OR MISLEADING REPRESENTATIONS.

15 (b) (I) A SUBSCRIBER ORGANIZATION SHALL PROVIDE AN
16 INCOME-QUALIFIED SUBSCRIBER WHO IS A SUBSCRIBER A DISCOUNT OF AT
17 LEAST TWENTY-FIVE PERCENT OF THE VALUE OF THE SUBSCRIBER'S
18 COMMUNITY SOLAR BILL CREDIT BY LIMITING THE SUBSCRIBER'S
19 SUBSCRIPTION CHARGE TO NO MORE THAN SEVENTY-FIVE PERCENT OF THE
20 VALUE OF THE SUBSCRIBER'S COMMUNITY SOLAR BILL CREDIT.

21 (II) FOR A COMMUNITY SOLAR FACILITY THAT RECEIVES FEDERAL
22 TAX INCENTIVES CREATED BY THE FEDERAL "INFLATION REDUCTION ACT
23 OF 2022", PUB.L. 117-169, FOR THE SPECIFIC PURPOSE OF BEING LOCATED
24 IN AN ENERGY COMMUNITY, THE SUBSCRIBER ORGANIZATION SHALL
25 PROVIDE AN INCOME-QUALIFIED SUBSCRIBER WHO IS A SUBSCRIBER A
26 DISCOUNT OF AT LEAST THIRTY PERCENT OF THE VALUE OF THE
27 SUBSCRIBER'S COMMUNITY SOLAR BILL CREDIT BY LIMITING THE

1 SUBSCRIBER'S SUBSCRIPTION CHARGE TO NO MORE THAN SEVENTY
2 PERCENT OF THE VALUE OF THE SUBSCRIBER'S COMMUNITY SOLAR BILL
3 CREDIT.

4 (III) FOR A COMMUNITY SOLAR FACILITY THAT RECEIVES FEDERAL
5 TAX INCENTIVES CREATED BY THE FEDERAL "INFLATION REDUCTION ACT
6 OF 2022", PUB.L. 117-169, TO PROVIDE UTILITY BILL SAVINGS TO
7 INCOME-QUALIFIED HOUSEHOLDS PURSUANT TO FEDERAL ELIGIBILITY
8 REQUIREMENTS, THE SUBSCRIBER ORGANIZATION SHALL PROVIDE AN
9 INCOME-QUALIFIED SUBSCRIBER WHO IS A SUBSCRIBER A DISCOUNT OF AT
10 LEAST FIFTY PERCENT OF THE VALUE OF THE SUBSCRIBER'S COMMUNITY
11 SOLAR BILL CREDIT BY LIMITING THE SUBSCRIBER'S SUBSCRIPTION CHARGE
12 TO NO MORE THAN FIFTY PERCENT OF THE VALUE OF THE SUBSCRIBER'S
13 COMMUNITY SOLAR BILL CREDIT.

14 (IV) FOR A COMMUNITY SOLAR FACILITY THAT RECEIVES BOTH OF
15 THE FEDERAL TAX INCENTIVES DESCRIBED IN SUBSECTIONS (5)(b)(II) AND
16 (5)(b)(III) OF THIS SECTION, THE SUBSCRIBER ORGANIZATION SHALL
17 PROVIDE AN INCOME-QUALIFIED SUBSCRIBER WHO IS A SUBSCRIBER A
18 DISCOUNT OF AT LEAST FIFTY-FIVE PERCENT OF THE VALUE OF THE
19 SUBSCRIBER'S COMMUNITY SOLAR BILL CREDIT BY LIMITING THE
20 SUBSCRIBER'S SUBSCRIPTION CHARGE TO NO MORE THAN FORTY-FIVE
21 PERCENT OF THE VALUE OF THE SUBSCRIBER'S COMMUNITY SOLAR BILL
22 CREDIT.

23 (V) A SUBSCRIBER ORGANIZATION OR SUBSCRIPTION
24 COORDINATOR SHALL PROVIDE, AT THE REQUEST OF THE COMMISSION,
25 DETAILS REGARDING THE GUARANTEED DISCOUNTS DESCRIBED IN
26 SUBSECTIONS (5)(b)(I), (5)(b)(II), (5)(b)(III), AND (5)(b)(IV) OF THIS
27 SECTION GRANTED TO INCOME-QUALIFIED SUBSCRIBERS IN A FORM THAT

1 IS SPECIFIED BY THE COMMISSION.

2 (VI) IN THE EVENT THAT THERE IS UNCLAIMED INCLUSIVE
3 COMMUNITY SOLAR CAPACITY, STAKEHOLDERS MAY PETITION THE
4 COMMISSION TO, OR THE COMMISSION MAY THROUGH AN APPROPRIATE
5 PROCEEDING, CONSIDER ALTERING THE GUARANTEED DISCOUNTS
6 DESCRIBED IN SUBSECTIONS (5)(b)(I), (5)(b)(II), (5)(b)(III), AND
7 (5)(b)(IV) OF THIS SECTION FOR INCOME-QUALIFIED SUBSCRIBERS.

8 (c) A SUBSCRIBER ORGANIZATION OR SUBSCRIPTION COORDINATOR
9 SHALL USE ANY ONE OR MORE OF THE FOLLOWING METHODS TO VERIFY
10 THE INCOME OF A PROSPECTIVE SUBSCRIBER, OR A MEMBER OF THE
11 HOUSEHOLD FOR WHICH THE SUBSCRIPTION IS ATTRIBUTED, FOR
12 ELIGIBILITY AS AN INCOME-QUALIFIED SUBSCRIBER:

13 (I) SELF-ATTESTATION;

14 (II) PROOF OF RESIDENCE IN AN AFFORDABLE HOUSING
15 COMMUNITY; OR

16 (III) EVIDENCE OF ELIGIBILITY FOR OR ENROLLMENT IN AT LEAST
17 ONE OF THE FOLLOWING PROGRAMS:

18 (A) THE WEATHERIZATION ASSISTANCE PROGRAM IN THE
19 COLORADO ENERGY OFFICE, AS DESCRIBED IN SECTION 24-38.5-102 (1)(g);

20 (B) THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM IN THE
21 DEPARTMENT OF HUMAN SERVICES, ESTABLISHED IN PART 3 OF ARTICLE 2
22 OF TITLE 26;

23 (C) MEDICAID, AS DEFINED IN SECTION 10-16-1203 (8);

24 (D) THE HEAD START PROGRAM IN THE DEPARTMENT OF EARLY
25 CHILDHOOD, AS DEFINED IN SECTION 26.5-4-103 (6);

26 (E) FREE AND REDUCED-PRICE SCHOOL MEALS PURSUANT TO THE
27 FEDERAL "RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH ACT", 42

1 U.S.C. SEC. 1751 ET SEQ., OR A SIMILAR FREE OR REDUCED-PRICE SCHOOL
2 MEALS PROGRAM;

3 (F) THE FEDERAL LOW-INCOME HOME ENERGY ASSISTANCE
4 PROGRAM ADMINISTERED BY THE UNITED STATES DEPARTMENT OF
5 HEALTH AND HUMAN SERVICES' ADMINISTRATION FOR CHILDREN AND
6 FAMILIES PURSUANT TO 42 U.S.C. SEC. 8621 ET SEQ., AS AMENDED; OR

7 (G) ANY OTHER GOVERNMENTAL OR LOCAL ASSISTANCE PROGRAM
8 THAT THE COMMISSION DETERMINES QUALIFIES A PROSPECTIVE
9 SUBSCRIBER FOR ELIGIBILITY AS AN INCOME-QUALIFIED SUBSCRIBER.

10 (d) THE COMMISSION SHALL ADOPT A UNIFORM DISCLOSURE
11 FORM THAT IDENTIFIES THE INFORMATION THAT A SUBSCRIBER
12 ORGANIZATION OR SUBSCRIPTION COORDINATOR SHALL PROVIDE TO A
13 POTENTIAL SUBSCRIBER. THE DISCLOSURE FORM MUST:

14 (I) DISCLOSE FUTURE COSTS AND BENEFITS OF SUBSCRIPTIONS;

15 (II) DISCLOSE KEY CONTRACT TERMS;

16 (III) PROVIDE GRIEVANCE, ENFORCEMENT, AND CANCELLATION
17 PROCEDURES;

18 (IV) PROVIDE OTHER RELEVANT INFORMATION PERTAINING TO THE
19 SUBSCRIPTIONS; AND

20 (V) BE OFFERED IN BOTH ENGLISH AND SPANISH LANGUAGES AND,
21 WHEN APPROPRIATE, NATIVE AMERICAN OR INDIGENOUS LANGUAGES.

22

23 (e) SUBSCRIBER ORGANIZATIONS ARE ENCOURAGED TO CONDUCT
24 TARGETED OUTREACH TO TRIBAL CUSTOMERS BY PARTNERING WITH
25 COLORADO-BASED NONPROFIT ORGANIZATIONS THAT HAVE A PRIMARY
26 MISSION OF IMPROVING THE SOCIOECONOMIC CONDITIONS OF AND
27 PROVIDING ENERGY ASSISTANCE FOR TRIBAL CUSTOMERS WHO ARE NOT

1 LOCATED ON A RESERVATION.

2 (6) **Cost recovery.** AN INVESTOR-OWNED ELECTRIC UTILITY MAY
3 SEEK RECOVERY OF ENERGY PURCHASES FROM A COMMUNITY SOLAR
4 FACILITY DEVELOPED AND OPERATED PURSUANT TO THIS SECTION IN A
5 MANNER APPROVED BY THE COMMISSION BY RULE OR OTHER APPROPRIATE
6 MECHANISM.

7 (7) **Interconnection - reports.** (a) AN INVESTOR-OWNED
8 ELECTRIC UTILITY SHALL SHARE ALL RESULTS FROM ANY
9 INTERCONNECTION STUDY CONDUCTED PURSUANT TO COMMISSION RULES
10 WITH THE INTERCONNECTION APPLICANT PURSUANT TO UTILITY
11 CONFIDENTIALITY REQUIREMENTS.

12 (b) ON OR BEFORE JANUARY 31, 2025, AN INVESTOR-OWNED
13 ELECTRIC UTILITY WITH MORE THAN FIVE HUNDRED THOUSAND
14 CUSTOMERS SHALL FILE WITH THE COMMISSION UPDATES TO APPROPRIATE
15 TARIFFS THAT ARE NECESSARY TO IMPLEMENT PRO RATA
16 INTERCONNECTION COST-SHARING MECHANISMS FOR SYSTEM UPGRADES
17 WHEREBY A COMMUNITY SOLAR FACILITY ONLY PAYS THE FACILITY'S
18 PROPORTIONAL SHARE OF NEWLY CREATED HOSTING CAPACITY
19 ASSOCIATED WITH THE FACILITY.

20 (c) WHEN AN INVESTOR-OWNED ELECTRIC UTILITY WITH MORE
21 THAN FIVE HUNDRED THOUSAND CUSTOMERS FILES A DISTRIBUTION
22 SYSTEM PLAN WITH THE COMMISSION PURSUANT TO SECTION 40-2-132,
23 THE INVESTOR-OWNED ELECTRIC UTILITY SHALL:

24 (I) PROVIDE INFORMATION WHEN INTERCONNECTION COSTS FOR A
25 COMMUNITY SOLAR FACILITY EXCEED TWENTY CENTS PER WATT,
26 MEASURED IN ALTERNATING CURRENT, AND PROPOSE TO THE COMMISSION
27 POTENTIAL SOLUTIONS TO FACILITATE FUTURE INTERCONNECTIONS IN

1 THAT SAME GEOGRAPHIC AREA THAT MAY INCLUDE:

2 (A) COST-SHARING MECHANISMS AMONG SUBSCRIBER
3 ORGANIZATIONS OR BETWEEN AN INTERCONNECTION APPLICANT AND THE
4 UTILITY;

5 (B) DISTRIBUTION GRID UPGRADES, SUCH AS DISTRIBUTED ENERGY
6 STORAGE, WHICH MAY BE FUNDED BY THE UTILITY, INTERCONNECTION
7 APPLICANT, OR SOME COMBINATION OF THE UTILITY AND
8 INTERCONNECTION APPLICANT; OR

9 (C) FLEXIBLE INTERCONNECTION PRACTICES; AND

10 (II) INCLUDE THE FOLLOWING INFORMATION IN A REPORT TO THE
11 COMMISSION AS PART OF THE DISTRIBUTION SYSTEM PLAN, WHICH IS FILED
12 WITH THE COMMISSION PURSUANT TO SECTION 40-2-132:

13 (A) THE AMOUNT OF INCLUSIVE COMMUNITY SOLAR CAPACITY
14 AWARDED PURSUANT TO THIS SECTION;

15 (B) THE AMOUNT OF OPERATIONAL COMMUNITY SOLAR CAPACITY
16 DEVELOPED PURSUANT TO THIS SECTION AND SECTION 40-2-127; AND

17 (C) A NARRATIVE DETAILING THE UTILITY'S PROGRESS TOWARD
18 FACILITATING COST-EFFECTIVE INTERCONNECTION OF COMMUNITY SOLAR
19 FACILITIES WITH THE UTILITY'S DISTRIBUTION SYSTEM.

20 ==

21 (8) **Program administration.** (a) THE COMMISSION SHALL:

22 (I) ADOPT AND ENFORCE ALL RULES REQUIRED UNDER THIS
23 SECTION;

24 (II) REQUIRE INVESTOR-OWNED ELECTRIC UTILITIES TO FILE THE
25 TARIFFS, THE AGREEMENTS, OR OTHER FORMS NECESSARY FOR THE
26 IMPLEMENTATION OF THIS SECTION;

27 (III) ESTABLISH A DEADLINE BY WHICH AN INVESTOR-OWNED

1 ELECTRIC UTILITY WITH MORE THAN FIVE HUNDRED THOUSAND
2 CUSTOMERS SHALL IMPLEMENT A CONSOLIDATED BILLING PROGRAM AND
3 DIRECT THE UTILITY TO TRACK ALL COSTS ASSOCIATED WITH
4 IMPLEMENTING AND OPERATING THE CONSOLIDATED BILLING PROGRAM SO
5 THAT THE COMMISSION MAY ESTABLISH A FEE TO BE PAID TO THE
6 INVESTOR-OWNED ELECTRIC UTILITY BY SUBSCRIBER ORGANIZATIONS
7 THAT ELECT TO UTILIZE A CONSOLIDATED BILLING PROGRAM IN ORDER TO
8 OFFSET THE COSTS OF IMPLEMENTING AND OPERATING THE CONSOLIDATED
9 BILLING PROGRAM;

10 (IV) COORDINATE WITH THE COLORADO ENERGY OFFICE CREATED
11 IN SECTION 24-38.5-101 (1) TO ENSURE ALIGNMENT WITH ANY FEDERAL
12 GRANT FUNDING RECEIVED BY THE STATE FOR THE PURPOSE OF
13 SUPPORTING LOW-INCOME COMMUNITY SOLAR PROJECTS;

14 ==
15 (V) CLARIFY THAT SUBSCRIBER ORGANIZATIONS, SUBSCRIPTION
16 COORDINATORS, OR SUBSCRIBERS ARE NOT CONSIDERED PUBLIC UTILITIES
17 SUBJECT TO REGULATION BY THE COMMISSION SOLELY AS A RESULT OF
18 THEIR PARTICIPATION IN INCLUSIVE COMMUNITY SOLAR;

19 (VI) CONSIDER THE INTEGRATION OF COMMUNITY SOLAR
20 SUBSCRIPTIONS FOR INCOME-QUALIFIED SUBSCRIBERS WITH OTHER
21 PROGRAMS DESIGNED TO REDUCE CUSTOMER UTILITY BILLS AND DELIVER
22 ENERGY-RELATED SERVICES, INCLUDING PROGRAMS RELATED TO
23 DEMAND-SIDE MANAGEMENT, BENEFICIAL ELECTRIFICATION, AND
24 TRANSPORTATION ELECTRIFICATION; AND

25 (VII) CONDUCT MULTILINGUAL AND CULTURALLY RELEVANT
26 OUTREACH TO ENGAGE, EDUCATE, AND SOLICIT INPUT FROM
27 REPRESENTATIVES FROM DISPROPORTIONATELY IMPACTED COMMUNITIES,

1 IN ACCORDANCE WITH SECTION 40-2-108, AND CONSIDER ADDITIONAL
2 STRATEGIES AS NECESSARY TO ENSURE ROBUST PARTICIPATION BY
3 MEMBERS OF DISPROPORTIONATELY IMPACTED COMMUNITIES IN ANY
4 RULE-MAKING RELATED TO INCLUSIVE COMMUNITY SOLAR. THE
5 COMMISSION SHALL CONSIDER A PROCESS TO COMPENSATE INDIVIDUALS
6 WHO PARTICIPATE IN THE OUTREACH FOR THEIR PARTICIPATION, AT A
7 LEVEL DETERMINED APPROPRIATE BY THE COMMISSION.

8 (b) ON OR BEFORE NOVEMBER 1, 2025, AN INVESTOR-OWNED
9 ELECTRIC UTILITY SHALL FILE AN APPLICATION WITH THE COMMISSION,
10 EITHER AS A STANDALONE APPLICATION OR AS PART OF ANOTHER
11 APPLICATION THAT IS BEING FILED WITH THE COMMISSION, THAT:

12 (I) ENABLES THE ALLOCATION OF INCLUSIVE COMMUNITY SOLAR
13 CAPACITY THAT IS REQUIRED TO BE MADE AVAILABLE BY THE
14 INVESTOR-OWNED ELECTRIC UTILITY PURSUANT TO THIS SECTION; AND

15 (II) ESTABLISHES A PROCESS FOR THE INVESTOR-OWNED ELECTRIC
16 UTILITY TO PRIORITIZE COMMUNITY SOLAR FACILITIES LOCATED ON
17 PREFERRED LOCATIONS OVER COMMUNITY SOLAR FACILITIES NOT LOCATED
18 ON PREFERRED LOCATIONS, WHICH PROCESS MUST ONLY BE USED TO
19 PRIORITIZE BETWEEN FACILITIES APPLYING FOR INCLUSIVE COMMUNITY
20 SOLAR CAPACITY ON THE DAY THAT QUALIFIED COMMUNITY SOLAR
21 FACILITY APPLICATIONS EXCEED THE REMAINING AVAILABLE CAPACITY IN
22 AN ANNUAL CAPACITY ALLOCATION CYCLE; HOWEVER, THE
23 INVESTOR-OWNED ELECTRIC UTILITY SHALL NOT CREATE A WAITING LIST
24 THAT CARRIES OVER INTO THE NEXT YEAR.

25 (c) ON OR BEFORE JANUARY 1, 2029, THE COMMISSION SHALL
26 REPORT TO THE HOUSE OF REPRESENTATIVES ENERGY AND ENVIRONMENT
27 COMMITTEE AND THE SENATE TRANSPORTATION AND ENERGY COMMITTEE,

1 OR THEIR SUCCESSOR COMMITTEES, ON THE COMMUNITY SOLAR FACILITIES
2 DEVELOPED PURSUANT TO THIS SECTION. THE REPORT MUST INCLUDE:

3 (I) THE PERCENTAGE OF AWARDED INCLUSIVE COMMUNITY SOLAR
4 CAPACITY THAT WAS SUCCESSFULLY INTERCONNECTED TO
5 INVESTOR-OWNED ELECTRIC UTILITY DISTRIBUTION SYSTEMS;

6 (II) THE TOTAL NUMBER OF INCOME-QUALIFIED SUBSCRIBERS WHO
7 ARE SUBSCRIBERS SERVED BY A COMMUNITY SOLAR FACILITY AND ANY
8 IMPACTS THAT THE SUBSCRIPTIONS HAVE ON THE AVERAGE ANNUAL BILL
9 COST OF THOSE INCOME-QUALIFIED SUBSCRIBERS;

10 (III) THE TOTAL NUMBER OF INCOME-QUALIFIED SUBSCRIBERS WHO
11 PARTICIPATED IN INCLUSIVE COMMUNITY SOLAR IN CONJUNCTION WITH
12 OTHER PROGRAMS DESIGNED TO REDUCE CUSTOMER UTILITY BILLS,
13 SUPPORT BENEFICIAL ELECTRIFICATION, AND ADVANCE ENERGY
14 EFFICIENCY; AND

15 (IV) ANY OTHER INFORMATION RELATED TO COMMUNITY SOLAR
16 FACILITIES DEVELOPED PURSUANT TO THIS SECTION THAT THE COMMISSION
17 DEEMS NECESSARY.

18 == ==

19 (9) **Applicability.** (a) THIS SECTION APPLIES TO INCLUSIVE
20 COMMUNITY SOLAR CAPACITY THAT IS ALLOCATED ON OR AFTER JANUARY
21 1, 2026.

22 (b) COMMUNITY SOLAR CAPACITY THAT IS ALLOCATED ON OR
23 BEFORE DECEMBER 31, 2025, IS ALLOCATED PURSUANT TO SECTION
24 40-2-127.

25 **SECTION 4.** In Colorado Revised Statutes, **add** 40-2-130.5 as
26 follows:

27 **40-2-130.5. Dispatchable distributed generation - energy**

1 **storage - definitions - program capacity - program administration -**
2 **rules. (1) Definitions.** AS USED IN THIS SECTION, UNLESS THE CONTEXT
3 OTHERWISE REQUIRES:

4 (a) "DISPATCHABLE DISTRIBUTED GENERATION" MEANS
5 DISTRIBUTED GENERATION PAIRED WITH A CO-LOCATED ENERGY STORAGE
6 SYSTEM THAT IS:

7 (I) DIRECTLY INTERCONNECTED TO AN INVESTOR-OWNED
8 ELECTRIC UTILITY'S DISTRIBUTION SYSTEM AND IS NOT BEHIND A
9 CUSTOMER METER; AND

10 (II) MEASURED BY THE CAPACITY OF THE DISTRIBUTED
11 GENERATION IN ALTERNATING CURRENT.

12 (b) "DISTRIBUTED GENERATION" MEANS A RENEWABLE ENERGY
13 RESOURCE AS DEFINED IN SECTION 40-2-124 (1)(a)(VII) THAT
14 INTERCONNECTS TO A UTILITY'S DISTRIBUTION SYSTEM.

15 (c) "ENERGY STORAGE SYSTEM" HAS THE SAME MEANING AS SET
16 FORTH IN SECTION 40-2-130 (2)(a).

17 (d) "INVESTOR-OWNED ELECTRIC UTILITY" OR "UTILITY" MEANS A
18 RETAIL ELECTRIC UTILITY IN THE STATE THAT IS NOT A COOPERATIVE
19 ELECTRIC ASSOCIATION OR A MUNICIPALLY OWNED ELECTRIC UTILITY.

20 (2) **Program capacity.** (a) ON OR BEFORE JUNE 1, 2026, AN
21 INVESTOR-OWNED ELECTRIC UTILITY WITH MORE THAN FIVE HUNDRED
22 THOUSAND CUSTOMERS SHALL ACQUIRE AT LEAST FIFTY MEGAWATTS OF
23 DISPATCHABLE DISTRIBUTED GENERATION.

24 (b) ON OR AFTER JANUARY 1, 2027, BUT BEFORE JUNE 1, 2027, AN
25 INVESTOR-OWNED ELECTRIC UTILITY WITH MORE THAN FIVE HUNDRED
26 THOUSAND CUSTOMERS SHALL ACQUIRE AT LEAST FIFTY MEGAWATTS OF
27 DISPATCHABLE DISTRIBUTED GENERATION.

1 (c) TO ENSURE THAT AN INVESTOR-OWNED ELECTRIC UTILITY WITH
2 MORE THAN FIVE HUNDRED THOUSAND CUSTOMERS ACQUIRES
3 DISPATCHABLE DISTRIBUTED GENERATION IN ACCORDANCE WITH
4 SUBSECTIONS (2)(a) AND (2)(b) OF THIS SECTION, THE COMMISSION SHALL:

5 (I) DETERMINE THE PROCEDURES FOR A UTILITY TO ACQUIRE
6 DISPATCHABLE DISTRIBUTED GENERATION;

7 (II) ESTABLISH A METHODOLOGY THAT ASCRIBES VALUE TO
8 DISPATCHABLE DISTRIBUTED GENERATION LOCATED IN SPECIFIC AREAS OF
9 THE ELECTRIC GRID IN ORDER TO DIRECT THE DEVELOPMENT OF
10 DISPATCHABLE DISTRIBUTED GENERATION RESOURCES IN OPTIMAL
11 LOCATIONS; AND

12 (III) ADOPT ANY OTHER PROGRAM- OR PROJECT-SPECIFIC
13 REQUIREMENTS THE COMMISSION DEEMS NECESSARY TO FACILITATE THE
14 ACQUISITION OF DISPATCHABLE DISTRIBUTED GENERATION, INCLUDING
15 ALL APPLICABLE REQUIREMENTS OF THE "COLORADO ENERGY SECTOR
16 PUBLIC WORKS PROJECT CRAFT LABOR REQUIREMENTS ACT", PART 3 OF
17 ARTICLE 92 OF TITLE 24, FOR DISPATCHABLE DISTRIBUTED GENERATION
18 PROJECTS THAT QUALIFY AS AN "ENERGY SECTOR PUBLIC WORKS PROJECT"
19 AS DEFINED IN SECTION 24-92-303 (5).

20 (d) ON OR BEFORE JUNE 1, 2028, AND PERIODICALLY THEREAFTER,
21 THE COMMISSION SHALL DETERMINE THE PROCEDURE AND CAPACITY
22 AMOUNTS FOR FUTURE ACQUISITIONS OF DISPATCHABLE DISTRIBUTED
23 GENERATION BY AN INVESTOR-OWNED ELECTRIC UTILITY.

24 (3) **Program administration.** THE COMMISSION SHALL:

25 (a) ADOPT AND ENFORCE ALL RULES REQUIRED UNDER THIS
26 SECTION;

27 (b) REQUIRE ALL APPLICABLE INVESTOR-OWNED ELECTRIC

1 UTILITIES TO FILE THE TARIFFS, THE AGREEMENTS, OR OTHER FORMS AND
2 DOCUMENTS NECESSARY FOR THE IMPLEMENTATION OF THIS SECTION; AND

3 (c) CONSULT WITH THE COLORADO ELECTRIC TRANSMISSION
4 AUTHORITY, CREATED IN SECTION 40-42-103, AS NECESSARY TO PLAN FOR
5 AND OPTIMIZE THE USE OF DISPATCHABLE DISTRIBUTED GENERATION THAT
6 IS ACQUIRED AND DEVELOPED IN ACCORDANCE WITH THIS SECTION.

7 **SECTION 5. Appropriation.** (1) For the 2024-25 state fiscal
8 year, \$116,505 is appropriated to the department of regulatory agencies
9 for use by the public utilities commission. This appropriation is from the
10 public utilities commission fixed utility fund created in section 40-2-114
11 (1)(b)(II), C.R.S. To implement this act, the commission may use this
12 appropriation as follows:

13 (a) \$101,245 for personal services, which amount is based on an
14 assumption that the commission will require an additional 1.5 FTE; and

15 (b) \$15,260 for operating expenses.

16 **SECTION 6. Safety clause.** The general assembly finds,
17 determines, and declares that this act is necessary for the immediate
18 preservation of the public peace, health, or safety or for appropriations for
19 the support and maintenance of the departments of the state and state
20 institutions.