



Energy

During the 2020 legislative session, the General Assembly considered a variety of issues related to energy, including consumer protection and bill assistance; energy efficiency in new construction; renewable energy; and natural gas.

Consumer Protection and Bill Assistance

The General Assembly passed three bills concerning consumer protection in 2020. *Senate Bill 20-030*, recommended by the Investor-owned Utility Review Interim Study Committee, creates new requirements for public utilities and the Public Utilities Commission (PUC) designed to protect utility customers. These include requiring utilities to report the number of customers that receive the medical exemption from tiered rates to the PUC; requiring the PUC to promulgate rules regarding service disconnections due to nonpayment; and ensuring any utility rate change results in a revenue-neutral outcome that does not disproportionately impact low-income residential customers.

House Bill 20-1225 prohibits a wholesale electric cooperative from subjecting the installation, interconnection, or use of an energy storage system by a retail cooperative electric association to any unjust, unreasonable, discriminatory, or preferential cost or regulation. The bill also requires a wholesale electric cooperative to act in good faith when a cooperative member wishes to withdraw from membership, prohibits any unjust contractual

terms in relation to a withdrawal, and requires the wholesale electric cooperative to maintain the retail cooperative member's electric load.

The COVID-19 pandemic caused some utility customers to be unable to pay their electricity bills. *House Bill 20-1412* allocates funding to Energy Outreach Colorado to provide direct utility bill payment assistance to households facing economic hardship as a result of COVID-19.

House Bill 20-1045, recommended by the Investor-owned Utility Review Interim Study Committee and postponed indefinitely, would have established an annual transfer of money from the General Fund to two funds that provide low-income energy assistance to households in Colorado; the CEO Low-income Energy Assistance Fund and the Energy Outreach Colorado Low-income Energy Assistance Fund.

Energy Efficiency in New Construction

Several bills concerning energy efficiency in new construction were considered in 2020. Under current law, public schools must follow certain guidelines when applying for grant funding from the public school capital construction assistance fund in the Building Excellent Schools Today program. *Senate Bill 20-124* adds consulting with the local electric utility on beneficial electrification and distributed generation opportunities to the application guidelines.

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Under current law, a home builder must offer a buyer one of the following options: a solar power panel system or a solar thermal system; pre-wiring or pre-plumbing for such systems; or a conduit for future installation of such systems. *House Bill 20-1155* requires that a home builder must offer each of the current options, as well as the option for an electrical heating system. In addition, the home buyer must be offered one of the following options: an electric vehicle charging system; prewiring for the future installation of such system; or a plug-in receptacle in a place accessible to the vehicle parking area.

Senate Bill 20-159, which was postponed indefinitely, would have required the Office of the State Architect in the Department of Personnel and Administration (DPA) to adopt a policy establishing a maximum acceptable global warming potential for materials such as carbon steel rebar, cement, and concrete used in new public capital construction projects.

Renewable Energy

Community choice energy is a mechanism that allows cities, counties, or groups of cities and counties, to purchase electricity at wholesale through a supplier other than the local investor-owned utility, in most cases to meet the area's renewable energy goals. *House Bill 20-1064*, which was recommended by the Investor-owned Utility Review Interim Study Committee and postponed indefinitely, would have required the PUC to study the implementation of community choice energy in Colorado.

Senate Bill 20-190, which was postponed indefinitely, would have required the PUC to study and report on potential renewable resource generation development areas and planned transmission lines in Colorado. The bill also would have required the PUC to approve a utility's application to build certain new transmission facilities within 180 days, and

created a right of first refusal for incumbent electric utilities.

The 2019 Energy Legislation Review Interim Study Committee proposed three renewable energy-related bills for the 2020 session, all of which were postponed indefinitely. *Senate Bill 20-012* would have allowed current conservation easements in Colorado to permit electric transmission lines that are primarily used to transmit renewable energy. *House Bill 20-1059* would have required energy storage equipment owned or operated by utilities to be assessed similarly to renewable energy facility properties. *Senate Bill 20-038* would have required diesel fuel sold in nonattainment areas in Colorado, as designated by the U.S. Environmental Protection Agency, to be blended with a percentage of biodiesel during summer months. The Division of Oil and Public Safety would have been required to promulgate program rules.

Natural Gas

Senate Bill 20-150, which was postponed indefinitely, would have required the PUC to promulgate rules to create a renewable natural gas program for both large and small natural gas utilities in Colorado.