

## SENATE FLOOR AMENDMENT

Second Reading

BY SENATOR Cooke

1 Amend reengrossed bill, page 11, after line 7 insert:

2 "(G) THE GENERAL ASSEMBLY HEREBY FINDS, DETERMINES, AND  
3 DECLARES THAT IT IS BENEFICIAL TO ENCOURAGE THE DEVELOPMENT OF  
4 A CLEAN ENERGY PLAN BY A NONINVESTOR-OWNED PUBLIC UTILITY  
5 THROUGH A RESOURCE PLANNING PROCESS EXECUTED BY A  
6 NONINVESTOR-OWNED PUBLIC UTILITY THAT WILL REQUIRE GREENHOUSE  
7 GAS EMISSIONS CAUSED BY ITS COLORADO ELECTRICITY SALES TO  
8 DECREASE BY AT LEAST TWENTY-SIX PERCENT BY DECEMBER 31, 2025,  
9 AND FIFTY PERCENT BY DECEMBER 31, 2030, AND CONTINUE TO MAKE  
10 EMISSION REDUCTIONS OF GREENHOUSE GASES TOWARD THE 2050 GOAL  
11 SET FORTH IN SECTION 25-7-102 (2)(g), ALL MEASURED RELATIVE TO ITS  
12 2005 STATEWIDE GREENHOUSE GAS POLLUTION LEVELS. THE GENERAL  
13 ASSEMBLY ALSO DECLARES THAT PRESERVING ELECTRIC SYSTEM  
14 RELIABILITY, RESILIENCY, AND AFFORDABILITY IS PRESUMED TO BE IN THE  
15 PUBLIC INTEREST AND THAT ANY RULES TO ACHIEVE THE GOALS OF  
16 SECTION 25-7-102 (2)(g) MUST BE TECHNICALLY FEASIBLE AND ENSURE  
17 THAT ELECTRIC RELIABILITY IS MAINTAINED. IMPLEMENTATION OF ANY  
18 REQUIREMENTS TO ACHIEVE THE GOALS OF SECTION 25-7-102 (2)(g) MUST  
19 NOT CAUSE ELECTRIC SERVICE TO BECOME UNAFFORDABLE AND MUST  
20 ALSO CONSIDER THE FACTORS SET FORTH IN SECTION 25-7-109 (1)(b).  
21 NONINVESTOR-OWNED PUBLIC UTILITIES MAY WORK WITH OTHER SECTORS  
22 TO USE THE MOST COST-EFFECTIVE MEASURES AVAILABLE TO ACHIEVE THE  
23 STATEWIDE GREENHOUSE GAS POLLUTION REDUCTION GOALS WHILE  
24 MAINTAINING ELECTRIC RELIABILITY, GRID RESILIENCY, AND CUSTOMER  
25 AFFORDABILITY. A CLEAN ENERGY PLAN DEVELOPED BY A  
26 NONINVESTOR-OWNED PUBLIC UTILITY TO MEET THE GOALS OF THIS  
27 SUBSECTION (1)(e)(VII)(G) MAY BE SUBMITTED TO THE PUBLIC UTILITIES  
28 COMMISSION, TO THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT,  
29 AND TO THE OFFICE OF THE GOVERNOR. IN DESIGNING, IMPLEMENTING,  
30 AND ENFORCING PROGRAMS AND REQUIREMENTS UNDER SECTION 25-7-102  
31 (2)(g), THE COMMISSION AND THE DIVISION SHALL INCLUDE ANY CLEAN  
32 ENERGY PLAN THAT, AS FILED, WILL ACHIEVE THE GOALS OF THIS  
33 SUBSECTION (1)(e)(VII)(G) FOR THAT NONINVESTOR-OWNED PUBLIC  
34 UTILITY AS VERIFIED BY THE DEPARTMENT OF PUBLIC HEALTH AND  
35 ENVIRONMENT. WHEN INCLUDING NONINVESTOR-OWNED PUBLIC UTILITIES  
36 IN ITS PROGRAMS OR REQUIREMENTS UNDER SECTION 25-7-102 (2)(g), THE  
37 COMMISSION SHALL NOT MANDATE THAT A NONINVESTOR-OWNED PUBLIC  
38 UTILITY REDUCE GREENHOUSE GAS EMISSIONS CAUSED BY THE UTILITY'S  
39 COLORADO ELECTRICITY SALES MORE THAN IS REQUIRED UNDER A CLEAN  
40 ENERGY PLAN MEETING THE REQUIREMENTS OF THIS SUBSECTION

1 (1)(e)(VII)(G) OR IMPOSE ANY DIRECT, NONADMINISTRATIVE COST ON THE  
2 NONINVESTOR-OWNED PUBLIC UTILITY DIRECTLY ASSOCIATED WITH  
3 QUANTITIES OF GREENHOUSE GAS EMISSIONS CAUSED BY THE UTILITY'S  
4 COLORADO ELECTRICITY SALES THAT REMAIN AFTER THE REDUCTIONS  
5 REQUIRED BY THE CLEAN ENERGY PLAN IF THOSE REDUCTIONS ARE  
6 VERIFIED BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT. A  
7 NONINVESTOR-OWNED PUBLIC UTILITY THAT FILES A CLEAN ENERGY PLAN  
8 WITH THE PUBLIC UTILITIES COMMISSION, THE DEPARTMENT OF PUBLIC  
9 HEALTH AND ENVIRONMENT, AND THE OFFICE OF THE GOVERNOR SHALL  
10 PROVIDE BIENNIAL UPDATES TO THE DEPARTMENT OF PUBLIC HEALTH AND  
11 ENVIRONMENT TO ENSURE THAT THE PLAN CONTINUES TO BE ADEQUATE  
12 TO MEET THE GOALS SET FORTH IN THIS SUBSECTION (1)(e)(VII)(G)."

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