

## HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Becker

1 Amend printed bill, page 11, strike lines 22 through 27.

2 Page 12, strike lines 1 through 3 and substitute:

3 **"(5) Regulatory matters. (a) Ensuring retail rate stability.**

4 (I) THE COMMISSION SHALL ESTABLISH A MAXIMUM ELECTRIC RETAIL  
5 RATE IMPACT OF ONE AND ONE-HALF PERCENT OF THE TOTAL ELECTRIC  
6 BILL ANNUALLY FOR EACH CUSTOMER FOR IMPLEMENTATION OF THE  
7 APPROVED ADDITIONAL CLEAN ENERGY PLAN ACTIVITIES, CONSISTENT  
8 WITH THIS SUBSECTION (5). NOTHING IN THIS SUBSECTION (5)(a)  
9 SUPERSEDES SUBSECTION (3)(a)(I) OF THIS SECTION.

10 (II) A QUALIFYING RETAIL UTILITY SHALL COLLECT REVENUES FOR  
11 THE ADDITIONAL CLEAN ENERGY PLAN ACTIVITIES THROUGH A CLEAN  
12 ENERGY PLAN REVENUE RIDER ASSESSED ON A PERCENTAGE BASIS ON ALL  
13 RETAIL CUSTOMER BILLS, AS DEEMED PRUDENT BY THE COMMISSION. THE  
14 REVENUE RIDER MAY BE ESTABLISHED AS EARLY AS THE YEAR FOLLOWING  
15 APPROVAL OF A CLEAN ENERGY PLAN BY THE COMMISSION, AND THE  
16 QUALIFYING RETAIL UTILITY MAY PROPOSE A COMMENCEMENT DATE AND  
17 LEVEL NO GREATER THAN THE MAXIMUM ELECTRIC RETAIL RATE IMPACT.  
18 THE REVENUE RIDER SHALL AFFORD THE QUALIFYING RETAIL UTILITY COST  
19 RECOVERY TREATMENT UP TO THE MAXIMUM ELECTRIC RETAIL RATE  
20 IMPACT UNTIL THE FIRST RATE CASE FOLLOWING THE FINAL  
21 IMPLEMENTATION OF THE CLEAN ENERGY PLAN, AT WHICH TIME THE  
22 REMAINING COSTS AND SAVINGS ASSOCIATED WITH THE CLEAN ENERGY  
23 PLAN WILL BE INCORPORATED INTO BASE RATES. THE QUALIFYING RETAIL  
24 UTILITY MAY PROPOSE TO ADJUST THE LEVEL OF THE RETAIL RATE RIDER  
25 OVER TIME SO LONG AS IT DOES NOT EXCEED THE MAXIMUM RETAIL RATE  
26 IMPACT AND AS DEEMED PRUDENT BY THE COMMISSION. NOTHING IN THIS  
27 SUBSECTION (5) AFFECTS THE COMMISSION'S AUTHORITY TO EVALUATE  
28 THE PRUDENCE OF COSTS ASSOCIATED WITH APPROVED CLEAN ENERGY  
29 PLAN ACTIVITIES.

30 (III) THE CLEAN ENERGY PLAN REVENUE RIDER WILL BE UTILIZED  
31 FOR COSTS OF A QUALIFYING RETAIL UTILITY'S CLEAN ENERGY PLAN  
32 CAPITAL INVESTMENTS AND OPERATING AND RELATED EXPENSES,  
33 EXCLUSIVE OF:

34 (A) FUEL AND TRANSMISSION COSTS;

35 (B) COSTS ASSOCIATED WITH THE CAPITAL INVESTMENTS AND  
36 OPERATING AND RELATED EXPENSES WITHIN THE OVERALL APPROVED  
37 RESOURCE PORTFOLIO NECESSARY TO FULLY SATISFY THE RESOURCE NEED  
38 IDENTIFIED FOR THE ELECTRIC RESOURCE PLAN WITHOUT THE CLEAN  
39 ENERGY PLAN;

1 (C) THE INCREMENTAL COSTS OF ELIGIBLE ENERGY RESOURCES  
2 RECOVERED WITH FUNDS COLLECTED UNDER SECTION 40-2-124 (1)(g);  
3 AND

4 (D) THE INCREMENTAL COSTS OF ANY CLEAN ENERGY RESOURCES  
5 AND THEIR DIRECTLY RELATED INTERCONNECTION FACILITIES THAT,  
6 SUBJECT TO COMMISSION APPROVAL, ARE RECOVERED WITH FUNDS  
7 COLLECTED UNDER SECTION 40-2-124 (1)(g) IN ACCORDANCE WITH  
8 SUBSECTION (4)(a)(VIII) OF THIS SECTION. THE QUALIFYING RETAIL  
9 UTILITY SHALL RETURN SAVINGS ASSOCIATED WITH THE PLAN TO  
10 CUSTOMERS THROUGH EXISTING RATE RIDERS AND BASE RATE  
11 ADJUSTMENTS.

12 (IV) THE CLEAN ENERGY PLAN REVENUE RIDER MUST BE DESIGNED  
13 TO AFFORD CUSTOMERS CERTAINTY ON THE MAXIMUM RATE IMPACT OF  
14 THE APPROVED ADDITIONAL CLEAN ENERGY PLAN ACTIVITIES THROUGH AT  
15 LEAST CALENDAR YEAR 2030. ANNUALLY, THE QUALIFYING RETAIL  
16 UTILITY SHALL FILE A REPORT WITH THE COMMISSION INDICATING, AT A  
17 MINIMUM:

18 (A) THE AMOUNT OF RIDER COLLECTIONS;

19 (B) THE REVENUE REQUIREMENT ASSOCIATED WITH THE APPROVED  
20 ADDITIONAL CLEAN ENERGY PLAN ACTIVITIES TO BE PAID FOR FROM THE  
21 RIDER COLLECTIONS;

22 (C) ANY POSITIVE OR NEGATIVE RIDER ACCOUNT BALANCE;

23 (D) INTEREST EXPENSE ASSOCIATED WITH THE REVENUE RIDER  
24 BALANCE; AND

25 (E) ANY OTHER INFORMATION REQUIRED BY THE COMMISSION.

26 (V) IN THE FIRST RATE CASE FOLLOWING THE FINAL  
27 IMPLEMENTATION OF THE CLEAN ENERGY PLAN, THE COMMISSION SHALL  
28 CONDUCT A FINAL RECONCILIATION OF THE CLEAN ENERGY PLAN REVENUE  
29 RIDER AND DETERMINE HOW TO ACCOUNT FOR ANY POSITIVE OR NEGATIVE  
30 RIDER BALANCE. IN THE MANNER DETERMINED BY THE COMMISSION, ANY  
31 REMAINING POSITIVE BALANCE SHALL BE RETURNED TO CUSTOMERS OR  
32 USED TO REDUCE CUSTOMER RATES AND ANY NEGATIVE BALANCE SHALL  
33 BE INCORPORATED INTO THE QUALIFYING RETAIL UTILITY'S RATES."

34 Page 13, line 11, after the period add "THE COMMISSION MAY REQUIRE  
35 THE QUALIFYING RETAIL UTILITY TO PROVIDE SUCH PERIODIC REPORTS ON  
36 THE RELIABILITY AND RESILIENCY OF THE ELECTRIC SYSTEM AS IT MAY  
37 DEEM APPROPRIATE TO ENSURE THE CLEAN ENERGY PLAN DOES NOT  
38 ADVERSELY IMPACT RELIABILITY OR RESILIENCY."

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