

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Transportation & Energy.

SB19-236 be amended as follows:

1 Amend printed bill, page 7, strike lines 24 through 27 and substitute:

2 "(1) THE COMMISSION SHALL PROMULGATE RULES ESTABLISHING THE
3 FILING OF A DISTRIBUTION SYSTEM PLAN. THE COMMISSION'S RULES MUST:

4 (a) DEFINE THE FOLLOWING TERMS:

5 (I) DISTRIBUTED ENERGY RESOURCES THAT INCLUDE:

6 (A) DISTRIBUTED RENEWABLE ELECTRIC GENERATION;

7 (B) ENERGY STORAGE SYSTEMS;

8 (C) MICROGRIDS;

9 (D) ENERGY EFFICIENCY MEASURES; AND

10 (E) DEMAND RESPONSE MEASURES; AND

11 (II) NON-WIRES ALTERNATIVES;

12 (b) DEVELOP A METHODOLOGY FOR EVALUATING THE NET
13 BENEFITS TO CUSTOMERS USING DISTRIBUTED ENERGY RESOURCES AS
14 NON-WIRES ALTERNATIVES;

15 (c) DIRECT EACH QUALIFYING RETAIL UTILITY TO FILE A
16 DISTRIBUTION SYSTEM PLAN THAT AT A MINIMUM INCLUDES:

17 (I) INFORMATION REGARDING:

18 (A) SYSTEM AND SUBSTATION HISTORICAL DATA;

19 (B) PEAK DEMAND;

20 (C) ADOPTION OF DISTRIBUTED ENERGY RESOURCES; AND

21 (D) DISTRIBUTION SYSTEM INVESTMENTS;

22 (II) A DESCRIPTION OF THE QUALIFYING RETAIL UTILITY'S
23 ANTICIPATED NEW DISTRIBUTION SYSTEM EXPANSION INVESTMENTS FOR
24 THE YEARS COVERED BY THE PLAN, INCLUDING A GENERAL DISCUSSION OF
25 THE QUALIFYING RETAIL UTILITY'S PROCESS TO EVALUATE THE PLAN'S
26 FEASIBILITY AND THE ECONOMIC IMPACTS OF POTENTIALLY USING
27 NON-WIRES ALTERNATIVES FOR THE PROJECTS. THE QUALIFYING RETAIL
28 UTILITY SHALL PROVIDE ESTIMATES OF THE YEAR IN WHICH PEAK DEMAND
29 GROWTH OR DISTRIBUTED ENERGY RESOURCE GROWTH MAY REQUIRE
30 THESE NEW NON-WIRES ALTERNATIVE PROJECTS;

31 (III) TO PROVIDE NEW ELECTRIC SERVICE TO ANY PLANNED NEW
32 NEIGHBORHOODS OR HOUSING DEVELOPMENTS EXPECTED TO INCLUDE
33 MORE THAN TEN THOUSAND NEW RESIDENCES, A DESCRIPTION OF THE
34 QUALIFYING RETAIL UTILITY'S CONSIDERATION OF NON-WIRES
35 ALTERNATIVES, POTENTIALLY INCLUDING ENERGY EFFICIENCY MEASURES
36 UNDER UTILITY PROGRAMS;

37 (IV) AN UPDATED LOAD FORECAST THAT INCLUDES ANY NEW LOAD
38 RESULTING FROM PROJECTED OR FORECASTED GROWTH FROM BENEFICIAL
39 ELECTRIFICATION PROGRAMS;

40 (V) A FORECAST OF THE GROWTH OF DISTRIBUTED ENERGY

1 RESOURCES FOR THE YEARS COVERED BY THE PLAN;
2 (VI) A HIGH-LEVEL SUMMARY OF ITS PLANNING PROCESS FOR
3 ADDRESSING CYBER AND PHYSICAL SECURITY RISKS. AS PART OF THE
4 SUMMARY, THE QUALIFYING RETAIL UTILITY NEED NOT REPORT ANY
5 CONFIDENTIAL, PROPRIETARY, OR OTHER INFORMATION IN THE PLAN THAT
6 COULD IN ANY WAY COMPROMISE OR DECREASE THE QUALIFYING RETAIL
7 UTILITY'S ABILITY TO PREVENT, MITIGATE, OR RECOVER FROM POTENTIAL
8 SYSTEM DISRUPTIONS CAUSED BY WEATHER EVENTS, PHYSICAL EVENTS,
9 OR CYBER ATTACKS.
10 (VII) ANY OTHER INFORMATION THAT THE COMMISSION DEEMS
11 RELEVANT.
12 (2) THE COMMISSION SHALL APPROVE A QUALIFYING RETAIL
13 UTILITY'S DISTRIBUTION SYSTEM PLAN IF THE COMMISSION FINDS THE PLAN
14 TO BE IN THE PUBLIC INTEREST.
15 (3) (a) IF A QUALIFYING RETAIL UTILITY IS REQUIRED TO SPEND ON
16 DISTRIBUTION INFRASTRUCTURE TO ACCOMPLISH ITS DISTRIBUTION
17 SYSTEM PLAN, THE COST MUST BE PROPOSED AND CONSIDERED BY THE
18 COMMISSION AS PART OF THE QUALIFYING RETAIL UTILITY'S NEXT
19 GENERAL RATE CASE.
20 (b) THE COMMISSION MAY PRESUME THAT ANY SPENDING OUTSIDE
21 THE ORDINARY COURSE OF BUSINESS THAT THE QUALIFYING RETAIL
22 UTILITY IDENTIFIES FOR DISTRIBUTION INFRASTRUCTURE IS PRUDENT IF
23 THE COMMISSION DETERMINES THAT THE QUALIFYING RETAIL UTILITY'S
24 RATEPAYERS WOULD REALIZE NET BENEFITS FROM THE DISTRIBUTION
25 INFRASTRUCTURE AND THAT THE ASSOCIATED COSTS ARE JUST AND
26 REASONABLE.
27 (c) TO EVALUATE THE SUCCESS OF ANY INVESTMENT AUTHORIZED
28 PURSUANT TO A QUALIFYING RETAIL UTILITY'S DISTRIBUTION SYSTEM
29 PLAN, THE COMMISSION MAY ADOPT CRITERIA, BENCHMARKS, OR
30 ACCOUNTABILITY MECHANISMS WITH WHICH THE QUALIFYING RETAIL
31 UTILITY MUST COMPLY.
32 (4) AS USED IN THIS SECTION, "QUALIFYING RETAIL UTILITY" HAS
33 THE MEANING DESCRIBED IN SECTION 40-2-124 (1); EXCEPT THAT THE
34 TERM DOES NOT MEAN A MUNICIPALLY OWNED UTILITY OR A COOPERATIVE
35 ELECTRIC ASSOCIATION."

36 Strike page 8.

37 Page 9, strike lines 1 through 23.

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