

Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 12-0201.01 Thomas Morris x4218

HOUSE BILL 12-1102

HOUSE SPONSORSHIP

Swalm, Balmer, Holbert, Soper

SENATE SPONSORSHIP

Tochtrop,

House Committees
Transportation

Senate Committees

A BILL FOR AN ACT

101 CONCERNING A CAP ON INCREASES IN ELECTRICAL UTILITY RATES
102 ARISING FROM IMPLEMENTATION OF THE "CLEAN AIR - CLEAN
103 JOBS ACT".

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://www.leg.state.co.us/billsummaries>.)

House Bill 10-1365 created the "Clean Air - Clean Jobs Act" (act), which directs rate-regulated electric utilities (utilities) to create plans to achieve reduced emissions from coal-fired power plants (plans). The act specifies the extent to which costs in implementing plans are recoverable

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

by utilities. This bill directs the public utilities commission to establish a maximum retail rate impact of 1% of the annual total base rate electric bill for each customer, beginning in 2013 and ending in 2023.

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

2 **SECTION 1.** In Colorado Revised Statutes, 40-3.2-207, **add** (7)
3 as follows:

4 **40-3.2-207. Cost recovery - legislative declaration - repeal.**

5 (7) (a) NOTWITHSTANDING ANY PROVISION OF THIS SECTION PERTAINING
6 TO COST RECOVERY, THE COMMISSION SHALL ESTABLISH A MAXIMUM
7 RETAIL RATE IMPACT FOR THIS SECTION OF ONE PERCENT OF THE ANNUAL
8 TOTAL BASE RATE ELECTRIC BILL FOR EACH CUSTOMER, BEGINNING IN
9 2013 AND ENDING IN 2023.

10 (b) THIS SUBSECTION (7) IS REPEALED, EFFECTIVE JULY 1, 2024.

11 **SECTION 2. Act subject to petition - effective date.** This act
12 takes effect at 12:01 a.m. on the day following the expiration of the
13 ninety-day period after final adjournment of the general assembly (August
14 7, 2012, if adjournment sine die is on May 9, 2012); except that, if a
15 referendum petition is filed pursuant to section 1 (3) of article V of the
16 state constitution against this act or an item, section, or part of this act
17 within such period, then the act, item, section, or part will not take effect
18 unless approved by the people at the general election to be held in
19 November 2012 and, in such case, will take effect on the date of the
20 official declaration of the vote thereon by the governor.