

**First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO**

**REVISED**

*This Version Includes All Amendments Adopted  
on Second Reading in the Second House*

LLS NO. 17-0633.01 Jennifer Berman x3286

**SENATE BILL 17-105**

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**SENATE SPONSORSHIP**

**Garcia,** Cooke, Fenberg, Jones

**HOUSE SPONSORSHIP**

**Becker K.,**

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**Senate Committees**

Agriculture, Natural Resources, & Energy

**House Committees**

Transportation & Energy

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**A BILL FOR AN ACT**

101      **CONCERNING CONSUMERS' RIGHT TO KNOW THEIR ELECTRIC UTILITY**  
102              **CHARGES BY REQUIRING INVESTOR-OWNED ELECTRIC UTILITIES**  
103              **TO PROVIDE THEIR CUSTOMERS WITH A COMPREHENSIVE**  
104              **BREAKDOWN OF COST ON THEIR MONTHLY BILLS.**

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**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://leg.colorado.gov>.)*

The bill requires an investor-owned electric utility to file with the public utilities commission (commission) for the commission's review a comprehensive billing format that the investor-owned electric utility has

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.*

HOUSE  
Amended 2nd Reading  
April 18, 2017

SENATE  
3rd Reading Unamended  
February 23, 2017

SENATE  
Amended 2nd Reading  
February 22, 2017

developed for its monthly billing of customers. An investor-owned electric utility shall file the comprehensive billing format at the time of filing a rate schedule with the commission. The comprehensive billing format must include the following:

- ! A line-item representation of all monthly charges and credits applied to the customer;
- ! For months in which tiered rates are applied, a breakdown of the tiered rates and the amount of usage to which each rate was applied for the month;
- ! The rate and usage for the current month and each of the previous 12 months, as shown in a bar graph or other visual format; and
- ! For customers to which demand rates apply, a listing of the demand charge, aggregated data about the range and average of kilowatts used during the various demand periods of the billing period, and, if the customer is a residential customer, a calculation of the amount that the customer would have been billed had standard residential rates applied.

The bill sets forth procedures for the commission's review of a filed comprehensive billing format and provides that once a comprehensive billing format has been approved by the commission, the investor-owned utility need not refile it unless changes have been made to it.

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 40-3-103 as  
3 follows:

4 **40-3-103. Utilities to file rate schedules - rules.** (1) Under ~~such~~  
5 THE rules as PRESCRIBED BY the commission, ~~may prescribe, every~~ EACH  
6 public utility shall file with the commission, within ~~such~~ THE time and in  
7 ~~such~~ THE form as DESIGNATED BY the commission, ~~may designate~~, and  
8 shall print and keep open to public inspection, schedules showing all  
9 rates, tolls, rentals, charges, and classifications collected or enforced, or  
10 to be collected and enforced, together with all rules, regulations,  
11 contracts, privileges, and facilities that in any manner affect or relate to

1 rates, tolls, rentals, classifications, or service.

2 (2) (a) ON OR AFTER JANUARY 1, 2018, ON A SCHEDULE  
3 DETERMINED BY THE COMMISSION, EACH INVESTOR-OWNED ELECTRIC  
4 UTILITY SHALL FILE FOR THE COMMISSION'S REVIEW A COMPREHENSIVE  
5 BILLING FORMAT THAT THE INVESTOR-OWNED ELECTRIC UTILITY HAS  
6 DEVELOPED FOR ITS MONTHLY BILLING OF CUSTOMERS. THE  
7 COMPREHENSIVE BILLING FORMAT MUST INCLUDE THE FOLLOWING  
8 COMPONENTS OF A CUSTOMER'S MONTHLY BILL:

9 (I) A LINE-ITEM REPRESENTATION OF ALL MONTHLY CHARGES AND  
10 CREDITS APPLIED TO THE CUSTOMER AND AN INDICATION OF WHETHER THE  
11 CHARGES HAVE CHANGED FROM THE PRIOR MONTH AS A RESULT OF  
12 CHANGES IN FUEL COSTS;

13 (II) FOR MONTHS IN WHICH TIERED RATES ARE APPLIED, A  
14 BREAKDOWN OF THE TIERED RATES AND THE AMOUNT OF USAGE TO WHICH  
15 EACH RATE WAS APPLIED FOR THE MONTH;

16 (III) THE DAILY AVERAGE COST FOR THE CURRENT MONTH  
17 COMPARED TO THE SAME MONTH IN THE PREVIOUS CALENDAR YEAR;

18 (IV) A GLOSSARY OF TERMS USED BY THE UTILITY IN THE  
19 MONTHLY BILL;

20 (V) A DESCRIPTION OF EACH OF THE MONTHLY FEES THAT THE  
21 UTILITY MAY CHARGE THE CUSTOMER;

22 (VI) THE USAGE FOR THE CURRENT MONTH AND EACH OF THE  
23 PREVIOUS TWELVE MONTHS, AS SHOWN IN A BAR GRAPH OR SIMILAR  
24 VISUAL FORMAT; AND

25 (VII) FOR CUSTOMERS TO WHICH DEMAND RATES APPLY, A LISTING  
26 OF THE APPLICABLE DEMAND CHARGE, THE PEAK DEMAND DURING THE  
27 BILLING PERIOD, AND, PROVIDED THE UTILITY CAN REASONABLY

1 ASCERTAIN SUCH DATA, THE DATE AND TIME AT WHICH THE PEAK DEMAND  
2 OCCURRED.

3 (b) EACH INVESTOR-OWNED UTILITY SHALL PROVIDE ITS  
4 CUSTOMERS, ON A BIENNIAL BASIS, WITH EITHER AN INSERT OR AN  
5 INSERT THAT INDICATES, AS A PERCENTAGE, EACH FUEL SOURCE USED IN  
6 POWER GENERATION AND PURCHASED FOR THAT UTILITY, INCLUDING  
7 RENEWABLE ENERGY SOURCES, NATURAL GAS, AND COAL.

8 (c) (I) THE COMMISSION SHALL REVIEW A FILING SUBMITTED  
9 PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION WITHIN THIRTY DAYS  
10 AFTER THE FILING. IF THE COMMISSION DETERMINES THAT THE FILING DOES  
11 NOT MEET THE COMPREHENSIVE BILLING FORMAT REQUIREMENTS SET  
12 FORTH IN SUBSECTION (2)(a) OF THIS SECTION, THE COMMISSION MAY  
13 REQUIRE THE INVESTOR-OWNED ELECTRIC UTILITY TO RESUBMIT A  
14 COMPREHENSIVE BILLING FORMAT IN COMPLIANCE WITH THE  
15 REQUIREMENTS. THE COMMISSION SHALL NOTIFY THE INVESTOR-OWNED  
16 ELECTRIC UTILITY IN WRITING OF THE REASONS FOR THE DEFICIENCY, AND  
17 THE INVESTOR-OWNED ELECTRIC UTILITY SHALL RESUBMIT A  
18 COMPREHENSIVE BILLING FORMAT IN COMPLIANCE WITH THE  
19 REQUIREMENTS OF SUBSECTION (2)(a) OF THIS SECTION WITHIN SIXTY DAYS  
20 AFTER THE DATE OF THE COMMISSION'S NOTICE OF DEFICIENCY; EXCEPT  
21 THAT THE COMMISSION MAY, UPON REQUEST, EXTEND THE DEADLINE.

22 (II) AFTER THE COMMISSION HAS APPROVED A COMPREHENSIVE  
23 BILLING FORMAT SUBMITTED BY AN INVESTOR-OWNED ELECTRIC UTILITY  
24 PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION, THE INVESTOR-OWNED  
25 UTILITY NEED NOT RESUBMIT A COMPREHENSIVE BILLING FORMAT UNLESS  
26 THE INVESTOR-OWNED ELECTRIC UTILITY MAKES CHANGES TO ITS  
27 COMPREHENSIVE BILLING FORMAT.

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**SECTION 2. Safety clause.** The general assembly hereby finds,

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determines, and declares that this act is necessary for the immediate

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preservation of the public peace, health, and safety.