

Second Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 24-0308.01 Christopher McMichael x4775

SENATE BILL 24-207

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SENATE SPONSORSHIP

Fenberg and Hansen,

HOUSE SPONSORSHIP

Soper and Valdez,

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Senate Committees  
Transportation & Energy

House Committees

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A BILL FOR AN ACT

101 CONCERNING ACCESS TO DISTRIBUTED ENERGY, AND, IN CONNECTION  
102 THEREWITH, ESTABLISHING REQUIREMENTS FOR THE  
103 DEVELOPMENT OF INCLUSIVE COMMUNITY SOLAR CAPACITY  
104 THAT INVESTOR-OWNED ELECTRIC UTILITIES MUST MAKE  
105 AVAILABLE TO UTILITY CUSTOMERS AND REQUIRING THE  
106 ACQUISITION OF DISTRIBUTED GENERATION FACILITIES PAIRED  
107 WITH ENERGY STORAGE.

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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>.)*

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing law.  
Dashes through the words or numbers indicate deletions from existing law.

On or after January 1, 2026, but before February 1, 2026, an investor-owned electric utility (utility) with more than 500,000 customers must make at least 50 megawatts of inclusive community solar capacity available, and a utility with 500,000 or fewer customers must make at least 4 megawatts of inclusive community solar available.

Before February 1, 2027, a utility with more than 500,000 customers must make an additional 50 megawatts of inclusive community solar capacity available, plus any unclaimed capacity left over from the previous allocation cycle, and a utility with 500,000 or fewer customers must make an additional 4 megawatts of inclusive community solar available.

Under current law, a utility customer may subscribe to a portion of a community solar facility. The customer then receives a bill credit on the customer's monthly utility bill in an amount proportional to the customer's share of the community solar facility output. Current law establishes limits on the amount of output from community solar facilities that a utility may purchase.

The bill requires a utility to acquire the entire output of a community solar facility that is allocated capacity on or after January 1, 2026, (new facility) and apply community solar bill credits to that new facility's subscribers. The bill requires a new facility to:

- Not exceed 5 megawatts of capacity, measured in alternating current;
- Interconnect with a utility's distribution system;
- Comply with applicable requirements of the "Colorado Energy Sector Public Works Project Craft Labor Requirements Act";
- Reserve at least 51% of its capacity for income-qualified subscribers;
- Not allocate more than 40% of the new facility's capacity to a single subscriber; and
- Supply to a subscriber of the new facility no more than 120% of the expected average annual total consumption of electricity by the subscriber.

The bill affords certain protections for subscribers of new facilities. Subscriber organizations and subscription coordinators are prohibited from:

- Using credit scores, customer scores, or any utility deposit to deny prospective residential subscribers;
- Charging a sign-up or termination fee to residential subscribers;
- Engaging in misleading conduct or making false representations toward prospective subscribers; and
- Preventing a subscriber from transferring a subscription within the utility's service territory if the subscriber moves

residences.

A subscriber organization shall provide an income-qualified subscriber of a new facility with a subscription discount of at least:

- 25% of the value of the community solar bill credit;
- 30% of the value of the community solar bill credit if the new facility receives federal tax credits from the federal "Inflation Reduction Act of 2022" for the specific purpose of being located in an energy community; and
- 50% of the value of the community solar bill credit if the new facility receives federal tax credits from the federal "Inflation Reduction Act of 2022" specifically for providing income-qualified households with utility bill assistance.

The commission must also adopt a standardized form that contains relevant information and disclosures that subscriber organizations and subscription coordinators must provide to prospective subscribers.

The bill also directs the commission to establish:

- Cost-sharing mechanisms for new facilities that are connecting to the utility's distribution system, in which the new facility is required to pay only for its proportional share of system upgrades; and
- Reporting requirements for a utility regarding cost-sharing mechanisms and the cost-effectiveness of the utility's interconnection of new facilities when submitting a distribution system plan.

The commission may approve, conditionally approve, modify, or reject any distribution system plans proposed by a utility based on the utility's plans for interconnecting new facilities.

The bill authorizes the commission to approve cost recovery for energy purchased from a community solar facility by an investor-owned electric utility.

The bill also requires a utility with more than 500,000 customers to acquire 50 megawatts of distributed generation paired with energy storage by June 1, 2026, and an additional 50 megawatts of distributed generation paired with energy storage between January 1, 2027, and June 1, 2027.

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

2           **SECTION 1. Legislative declaration.** (1) The general assembly  
3 finds and declares that inclusive community solar:

4           (a) Provides electric utilities, ratepayers, and communities the

1 opportunity to realize the benefits of distributed energy generation;

2 (b) Expands equitable access to the clean energy transition for all  
3 ratepayers and communities, particularly for income-qualified  
4 households, renters, and other individuals who might not be able to install  
5 on-site solar energy systems at their residences;

6 (c) Strengthens the security and reliability of the electric grid by  
7 diversifying Colorado's electricity generation resources; and

8 (d) Contributes to the timely achievement of Colorado's  
9 greenhouse gas emission reduction goals.

10 (2) The generally assembly further finds and declares that:

11 (a) Distributed generation that is paired with energy storage and  
12 interconnected to the distribution grid can provide unique benefits to  
13 electric ratepayers in Colorado, including:

14 (I) Alleviating stress on electric grid infrastructure in a  
15 cost-effective manner, which makes it possible to defer or avoid costly  
16 distribution and transmission system investments;

17 (II) Increasing the resilience and reliability of the electric  
18 distribution grid;

19 (III) Avoiding or reducing negative impacts to the health, safety,  
20 and welfare of Coloradans, especially for vulnerable populations;

21 (IV) Providing energy and capacity during times of peak demand  
22 resulting in lower overall system costs; and

23 (V) Reducing utility-scale curtailment of solar output, which is  
24 expected to be a growing problem during afternoon hours; and

25 (b) The deployment of distributed generation that is paired with  
26 energy storage and interconnected to the distribution grid can result in  
27 efficient system integration, optimized system value, and reduced

1 systemwide curtailment of energy generation, which will provide benefits  
2 to electric ratepayers in Colorado.

3 (3) The general assembly further declares that:

4 (a) Colorado's existing community solar development should be  
5 updated and made more inclusive to afford more Coloradans access to the  
6 benefits of distributed energy resources and to position Colorado to take  
7 advantage of federal funding under the federal "Inflation Reduction Act  
8 of 2022"; and

9 (b) Enabling dispatchable distributed generation is in the public  
10 interest and is necessary for a timely transition to clean, affordable, and  
11 reliable energy.

12 **SECTION 2.** In Colorado Revised Statutes, 40-2-127, **add** (8) as  
13 follows:

14 **40-2-127. Community energy funds - community solar**  
15 **gardens - definitions - rules - legislative declaration - applicability -**  
16 **repeal. (8) Applicability. (a) THIS SECTION APPLIES TO COMMUNITY**  
17 **SOLAR CAPACITY THAT IS ALLOCATED ON OR BEFORE DECEMBER 31, 2025.**

18 (b) COMMUNITY SOLAR CAPACITY THAT IS ALLOCATED ON OR  
19 AFTER JANUARY 1, 2026, IS ALLOCATED PURSUANT TO SECTION  
20 40-2-127.2.

21 **SECTION 3.** In Colorado Revised Statutes, **add** 40-2-127.2 as  
22 follows:

23 **40-2-127.2. Inclusive community solar development -**  
24 **definitions - subscription requirements - program capacity - energy**  
25 **bill credits - administration - rules - reports - applicability.**

26 (1) **Definitions - rules.** AS USED IN THIS SECTION, UNLESS THE CONTEXT  
27 OTHERWISE REQUIRES:

1 (a) "AGRIVOLTAICS" HAS THE MEANING SET FORTH IN SECTION  
2 35-1-114 (4)(a).

3 (b) (I) "COMMUNITY SOLAR BILL CREDIT" MEANS THE CREDIT  
4 VALUE OF THE ELECTRICITY GENERATED BY A COMMUNITY SOLAR  
5 FACILITY AND ALLOCATED TO A SUBSCRIBER TO OFFSET THE SUBSCRIBER'S  
6 UTILITY BILL.

7 (II) A "COMMUNITY SOLAR BILL CREDIT" IS CALCULATED  
8 PURSUANT TO THE NET METERING CREDIT METHODOLOGY ESTABLISHED IN  
9 SECTION 40-2-127 (5)(b)(II)(A) TO (5)(b)(II)(H).

10 (c) "COMMUNITY SOLAR FACILITY", "COMMUNITY SOLAR  
11 PROJECT", OR "FACILITY" MEANS A FACILITY:

12 (I) OWNED BY A SUBSCRIBER ORGANIZATION THAT GENERATES  
13 ELECTRICITY BY MEANS OF A SOLAR PHOTOVOLTAIC DEVICE;

14 (II) THROUGH WHICH A SUBSCRIBER TO THE FACILITY RECEIVES A  
15 COMMUNITY SOLAR BILL CREDIT FOR THE ELECTRICITY GENERATED IN  
16 PROPORTION TO THE SUBSCRIBER'S SHARE OF THE FACILITY'S  
17 KILOWATT-HOUR OUTPUT;

18 (III) THAT CONSTITUTES "RETAIL DISTRIBUTED GENERATION" AS  
19 DESCRIBED IN SECTION 40-2-124; AND

20 (IV) THAT IS ALLOCATED INCLUSIVE COMMUNITY SOLAR CAPACITY  
21 ON OR AFTER JANUARY 1, 2026.

22 (d) "CONSOLIDATED BILLING" MEANS THE INCLUSION OF THE  
23 COMMUNITY SOLAR BILL CREDIT AND THE SUBSCRIPTION CHARGES ON A  
24 CUSTOMER'S MONTHLY ELECTRIC UTILITY BILL.

25 (e) "INCLUSIVE COMMUNITY SOLAR" MEANS THE CAPACITY,  
26 INTERCONNECTION, AND SUBSCRIPTION REQUIREMENTS SET FORTH IN THIS  
27 SECTION WITH WHICH AN INVESTOR-OWNED ELECTRIC UTILITY,

1 SUBSCRIBER ORGANIZATION, AND SUBSCRIPTION COORDINATOR MUST  
2 COMPLY WITH REGARD TO COMMUNITY SOLAR FACILITIES THAT ARE  
3 ALLOCATED CAPACITY ON OR AFTER JANUARY 1, 2026.

4 (f) "INCOME-QUALIFIED UTILITY CUSTOMER" MEANS A  
5 RESIDENTIAL UTILITY CUSTOMER WHO:

6 (I) HAS A HOUSEHOLD INCOME AT OR BELOW TWO HUNDRED  
7 PERCENT OF THE CURRENT FEDERAL POVERTY LINE, AS DEFINED IN 42  
8 U.S.C. SEC. 9902 (2);

9 (II) HAS A HOUSEHOLD INCOME AT OR BELOW EIGHTY PERCENT OF  
10 THE AREA MEDIAN INCOME, AS DETERMINED BY THE UNITED STATES  
11 DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT;

12 (III) MEETS INCOME ELIGIBILITY REQUIREMENTS AS DETERMINED  
13 BY THE COLORADO DEPARTMENT OF HUMAN SERVICES BY RULE PURSUANT  
14 TO SECTION 40-8.5-105; OR

15 (IV) DEMONSTRATES PARTICIPATION IN ONE OR MORE OF THE  
16 INCOME-QUALIFIED PROGRAMS THAT ARE LISTED IN SUBSECTION (5)(c)(III)  
17 OF THIS SECTION OR THAT THE COMMISSION DETERMINES PURSUANT TO  
18 SUBSECTION (5)(c)(III)(G) OF THIS SECTION QUALIFIES A PROSPECTIVE  
19 SUBSCRIBER FOR ELIGIBILITY AS AN INCOME-QUALIFIED UTILITY  
20 CUSTOMER.

21 (g) "INVESTOR-OWNED ELECTRIC UTILITY" OR "UTILITY" MEANS A  
22 RETAIL ELECTRIC UTILITY IN THE STATE THAT IS NOT A COOPERATIVE  
23 ELECTRIC ASSOCIATION OR A MUNICIPALLY OWNED ELECTRIC UTILITY.

24 (h) "PREFERRED LOCATION" MEANS LOCATION ON A ROOFTOP; A  
25 PARKING LOT; ANOTHER IMPERVIOUS SURFACE; A BROWNFIELD SITE, AS  
26 DEFINED IN 42 U.S.C. SEC. 9601 (39), AS AMENDED; A BODY OF WATER; A  
27 MUNICIPAL PROPERTY; A STATE PROPERTY; OR ANOTHER PREVIOUSLY

1 DISTURBED LOCATION AS IDENTIFIED BY THE COMMISSION BY RULE.

2 (i) "SUBSCRIBER" MEANS A RETAIL CUSTOMER OF AN  
3 INVESTOR-OWNED ELECTRIC UTILITY THAT HAS ONE OR MORE  
4 SUBSCRIPTIONS WITH A COMMUNITY SOLAR FACILITY THAT IS  
5 INTERCONNECTED WITH THE UTILITY.

6 (j) "SUBSCRIBER ORGANIZATION" MEANS A PERSON THAT  
7 DEVELOPS, OWNS, OR OPERATES A COMMUNITY SOLAR FACILITY AND MAY  
8 INCLUDE A MUNICIPALITY, A COUNTY, A FOR-PROFIT ORGANIZATION, OR A  
9 NONPROFIT ORGANIZATION BUT DOES NOT INCLUDE AN INVESTOR-OWNED  
10 ELECTRIC UTILITY.

11 (k) "SUBSCRIPTION" MEANS A CONTRACT BETWEEN A SUBSCRIBER  
12 AND A SUBSCRIBER ORGANIZATION OR A SUBSCRIPTION COORDINATOR FOR  
13 A PORTION OF THE OUTPUT OF A COMMUNITY SOLAR FACILITY.

14 (l) "SUBSCRIPTION COORDINATOR" MEANS A PERSON THAT:

15 (I) MARKETS COMMUNITY SOLAR ENERGY GENERATING SYSTEMS  
16 OR OTHERWISE PROVIDES SERVICES RELATED TO COMMUNITY SOLAR  
17 FACILITIES;

18 (II) PERFORMS ANY ADMINISTRATIVE ACTION TO ALLOCATE  
19 SUBSCRIPTIONS FOR A COMMUNITY SOLAR FACILITY, CONNECT A  
20 SUBSCRIBER TO A COMMUNITY SOLAR FACILITY, OR ENROLL A CUSTOMER  
21 IN A COMMUNITY SOLAR FACILITY; AND

22 (III) MANAGES INTERACTIONS BETWEEN A SUBSCRIBER  
23 ORGANIZATION AND AN INVESTOR-OWNED ELECTRIC UTILITY.

24 (2) **Community solar facility and subscription requirements**

25 - **rules.** (a) A COMMUNITY SOLAR FACILITY MUST:

26 (I) HAVE A NAMEPLATE CAPACITY RATING OF FIVE MEGAWATTS OR  
27 LESS, AS MEASURED IN ALTERNATING CURRENT;



1 (II) INTERCONNECT TO THE ELECTRIC DISTRIBUTION SYSTEM OF AN  
2 INVESTOR-OWNED ELECTRIC UTILITY;

3 (III) COMPLY WITH ALL APPLICABLE REQUIREMENTS OF THE  
4 "COLORADO ENERGY SECTOR PUBLIC WORKS PROJECT CRAFT LABOR  
5 REQUIREMENTS ACT", PART 3 OF ARTICLE 92 OF TITLE 24, IF THE  
6 COMMUNITY SOLAR FACILITY QUALIFIES AS AN "ENERGY SECTOR PUBLIC  
7 WORKS PROJECT" AS DEFINED IN SECTION 24-92-303 (5);

8 (IV) RESERVE AT LEAST FIFTY-ONE PERCENT OF THE COMMUNITY  
9 SOLAR FACILITY CAPACITY FOR SUBSCRIBERS WHO ARE INCOME-QUALIFIED  
10 UTILITY CUSTOMERS; AND

11 (V) NOT ALLOCATE TO A SINGLE SUBSCRIBER MORE THAN FORTY  
12 PERCENT OF THE GENERATING CAPACITY OF THE FACILITY.

13 (b) A SUBSCRIPTION TO A COMMUNITY SOLAR FACILITY MUST:

14 (I) SUPPLY NO MORE THAN ONE HUNDRED AND TWENTY PERCENT  
15 OF THE SUBSCRIBER'S REASONABLY EXPECTED AVERAGE ANNUAL TOTAL  
16 CONSUMPTION OF ELECTRICITY; AND

17 (II) BE PORTABLE AND TRANSFERABLE WITHIN THE SERVICE  
18 TERRITORY OF THE INVESTOR-OWNED ELECTRIC UTILITY IN WHICH THE  
19 COMMUNITY SOLAR FACILITY IS INTERCONNECTED TO THE UTILITY'S  
20 ELECTRIC GRID.

21 (c) COMMUNITY SOLAR FACILITIES THAT ARE OWNED BY THE SAME  
22 SUBSCRIBER ORGANIZATION OR BY PERSONS AFFILIATED WITH THE  
23 SUBSCRIBER ORGANIZATION MUST NOT EXCEED FIVE MEGAWATT CAPACITY  
24 MEASURED IN ALTERNATING CURRENT ON A SINGLE PARCEL OF LAND IN AN  
25 ANNUAL CAPACITY ALLOCATION CYCLE.

26 (d) A COMMUNITY SOLAR FACILITY THAT IS SITED ON A PREFERRED  
27 LOCATION OR THAT UTILIZES AGRIVOLTAICS MAY HAVE AN AGGREGATE

1 CAPACITY OF UP TO TEN MEGAWATTS MEASURED IN ALTERNATING  
2 CURRENT.

3 (3) **Inclusive community solar capacity - allocation -**  
4 **interconnection application - rules.** (a) (I) ON OR AFTER JANUARY 1,  
5 2026, BUT BEFORE FEBRUARY 1, 2026, AN INVESTOR-OWNED ELECTRIC  
6 UTILITY WITH MORE THAN FIVE HUNDRED THOUSAND CUSTOMERS SHALL  
7 MAKE AVAILABLE AN ANNUAL CAPACITY ALLOCATION OF AT LEAST FIFTY  
8 MEGAWATTS OF INCLUSIVE COMMUNITY SOLAR CAPACITY, AND MAKE  
9 AVAILABLE ANY UNCLAIMED COMMUNITY SOLAR CAPACITY AS  
10 DETERMINED IN THE UTILITY'S MOST RECENT COMMISSION-APPROVED  
11 RENEWABLE ENERGY PLAN, IN ACCORDANCE WITH THIS SECTION.

12 (II) ON OR BEFORE FEBRUARY 1, 2027, AN INVESTOR-OWNED  
13 ELECTRIC UTILITY WITH MORE THAN FIVE HUNDRED THOUSAND  
14 CUSTOMERS SHALL MAKE AVAILABLE AN ANNUAL CAPACITY ALLOCATION  
15 OF AT LEAST FIFTY MEGAWATTS OF INCLUSIVE COMMUNITY SOLAR  
16 CAPACITY, AND MAKE AVAILABLE ANY UNCLAIMED INCLUSIVE  
17 COMMUNITY SOLAR CAPACITY FROM THE PREVIOUS ALLOCATION CYCLE,  
18 IN ACCORDANCE WITH THIS SECTION.

19 (b) (I) ON OR AFTER JANUARY 1, 2026, BUT BEFORE FEBRUARY 1,  
20 2026, AN INVESTOR-OWNED ELECTRIC UTILITY WITH FIVE HUNDRED  
21 THOUSAND OR FEWER CUSTOMERS SHALL MAKE AVAILABLE AN ANNUAL  
22 CAPACITY ALLOCATION OF FOUR MEGAWATTS OF INCLUSIVE COMMUNITY  
23 SOLAR CAPACITY IN ACCORDANCE WITH THIS SECTION.

24 (II) ON OR BEFORE FEBRUARY 1, 2027, AN INVESTOR-OWNED  
25 ELECTRIC UTILITY WITH FIVE HUNDRED THOUSAND OR FEWER CUSTOMERS  
26 SHALL MAKE AVAILABLE AN ANNUAL CAPACITY ALLOCATION OF FOUR  
27 MEGAWATTS OF INCLUSIVE COMMUNITY SOLAR CAPACITY AVAILABLE IN

1 ACCORDANCE WITH THIS SECTION.

2 (c) ON OR BEFORE FEBRUARY 1, 2028, AND PERIODICALLY  
3 THEREAFTER, THE COMMISSION SHALL DETERMINE, BY RULE OR BY ORDER,  
4 THE AMOUNT OF INCLUSIVE COMMUNITY SOLAR CAPACITY THAT  
5 INVESTOR-OWNED ELECTRIC UTILITIES ARE REQUIRED TO MAKE AVAILABLE  
6 AND MAY ADJUST ANY REQUIREMENTS RELATED TO INCLUSIVE  
7 COMMUNITY SOLAR SPECIFIED IN THIS SECTION.

8 (d) (I) ALL INCLUSIVE COMMUNITY SOLAR CAPACITY MADE  
9 AVAILABLE PURSUANT TO THIS SECTION MUST BE ALLOCATED TO A  
10 SUBSCRIBER ORGANIZATION THAT DEMONSTRATES SITE CONTROL, HAS  
11 RECEIVED ALL APPLICABLE NONMINISTERIAL PERMITS, AND HAS AN  
12 EXECUTED INTERCONNECTION AGREEMENT WITH THE RELEVANT UTILITY.

13 (II) EXCEPT AS PROVIDED IN SUBSECTION (8)(b)(II) OF THIS  
14 SECTION, INCLUSIVE COMMUNITY SOLAR CAPACITY MUST BE ALLOCATED  
15 ON A FIRST-COME, FIRST-SERVED BASIS BASED ON THE DAY THE  
16 APPLICATION IS RECEIVED.

17 (e) IN ORDER TO FACILITATE EQUITABLE ACCESS TO CLEAN  
18 ENERGY, AN INVESTOR-OWNED ELECTRIC UTILITY SHALL ALLOW ALL  
19 INTERCONNECTION APPLICANTS FOR RETAIL DISTRIBUTED GENERATION  
20 PROJECTS AS DESCRIBED IN SECTION 40-2-124, INCLUDING COMMUNITY  
21 SOLAR FACILITIES, TO BEGIN THE INTERCONNECTION PROCESS NO LATER  
22 THAN SIXTY DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION.

23 (4) **Community solar bill credits, unsubscribed electricity, and**  
24 **renewable energy credits - rules.** (a) BEGINNING JANUARY 1, 2026, AN  
25 INVESTOR-OWNED ELECTRIC UTILITY SHALL:

26 (I) ACQUIRE THE ENTIRE ELECTRICAL OUTPUT OF A COMMUNITY  
27 SOLAR FACILITY THAT IS CONNECTED TO THE UTILITY'S DISTRIBUTION

1 SYSTEM;

2 (II) APPLY COMMUNITY SOLAR BILL CREDITS TO SUBSCRIBERS'  
3 MONTHLY BILLS AS SOON AS PRACTICABLE BUT NO LATER THAN SIXTY  
4 DAYS AFTER THE MONTH DURING WHICH THE COMMUNITY SOLAR FACILITY  
5 GENERATED THE ELECTRICITY;

6 (III) PROVIDE COMMUNITY SOLAR BILL CREDITS TO A COMMUNITY  
7 SOLAR FACILITY'S SUBSCRIBERS FOR A TERM OF TWENTY YEARS AFTER THE  
8 DATE THE FACILITY BEGINS GENERATING BILL CREDITS OR UNTIL THE  
9 COMMUNITY SOLAR FACILITY IS DECOMMISSIONED OR THE SUBSCRIBER  
10 ORGANIZATION CEASES OPERATIONS OF A COMMUNITY SOLAR FACILITY,  
11 WHICHEVER OCCURS FIRST;

12 (IV) CARRY OVER ANY AMOUNT OF A COMMUNITY SOLAR BILL  
13 CREDIT THAT EXCEEDS THE SUBSCRIBER'S MONTHLY BILL AND APPLY IT TO  
14 THE SUBSCRIBER'S NEXT MONTHLY BILL UNTIL THE SUBSCRIBER CANCELS  
15 SERVICE WITH THE UTILITY, AT WHICH POINT THE UTILITY SHALL DONATE  
16 ANY REMAINING COMMUNITY SOLAR BILL CREDITS TO A THIRD-PARTY  
17 ADMINISTRATOR THAT IS QUALIFIED AND APPROVED BY THE UTILITY FOR  
18 THE PURPOSE OF PROVIDING ENERGY ASSISTANCE AND BILL REDUCTIONS  
19 TO INCOME-QUALIFIED UTILITY CUSTOMERS WITHIN THE UTILITY'S SERVICE  
20 TERRITORY;

21 (V) ON A MONTHLY BASIS, PROVIDE TO A SUBSCRIBER  
22 ORGANIZATION OR SUBSCRIPTION COORDINATOR A REPORT INDICATING  
23 THE TOTAL VALUE OF COMMUNITY SOLAR BILL CREDITS GENERATED BY  
24 THE COMMUNITY SOLAR FACILITY IN THE PRIOR MONTH AND THE AMOUNT  
25 OF THE COMMUNITY SOLAR BILL CREDITS APPLIED TO EACH SUBSCRIBER;  
26 AND

27 (VI) PROVIDE, IF AN INVESTOR-OWNED ELECTRIC UTILITY HAS

1 MORE THAN FIVE HUNDRED THOUSAND CUSTOMERS, AT THE REQUEST OF  
2 A SUBSCRIBER ORGANIZATION OR SUBSCRIPTION COORDINATOR,  
3 CONSOLIDATED BILLING BY:

4 (A) INCLUDING THE SUBSCRIBER ORGANIZATION'S OR  
5 SUBSCRIPTION COORDINATOR'S MONTHLY SUBSCRIPTION CHARGE ON THE  
6 CUSTOMER'S MONTHLY BILL FOR ELECTRIC SERVICE AND SUPPLY FROM THE  
7 UTILITY; AND

8 (B) REMITTING THE CUSTOMER'S PAYMENT OF THE SUBSCRIBER  
9 ORGANIZATION'S OR SUBSCRIPTION COORDINATOR'S MONTHLY  
10 SUBSCRIPTION CHARGE TO THE SUBSCRIBER ORGANIZATION OR  
11 SUBSCRIPTION COORDINATOR.

12 (b) A SUBSCRIBER ORGANIZATION SHALL, ON A MONTHLY BASIS  
13 AND IN AN ELECTRONIC FORMAT, PROVIDE THE INVESTOR-OWNED  
14 ELECTRIC UTILITY A SUBSCRIBER LIST INDICATING THE KILOWATTS OF A  
15 COMMUNITY SOLAR FACILITY'S NAMEPLATE CAPACITY ATTRIBUTABLE TO  
16 EACH SUBSCRIBER. A SUBSCRIBER ORGANIZATION SHALL UPDATE  
17 SUBSCRIBER LISTS MONTHLY TO REFLECT ANY NEW SUBSCRIBERS,  
18 SUBSCRIBERS THAT HAVE CANCELED THEIR SUBSCRIPTION, OR  
19 SUBSCRIBERS THAT HAVE ADJUSTED SUBSCRIPTION CAPACITY.

20 (c) (I) AN INVESTOR-OWNED ELECTRIC UTILITY'S PURCHASE OF THE  
21 OUTPUT OF A COMMUNITY SOLAR FACILITY MUST TAKE THE FORM OF A  
22 COMMUNITY SOLAR BILL CREDIT ON THE SUBSCRIBER'S MONTHLY BILL.

23 (II) AN INVESTOR-OWNED ELECTRIC UTILITY SHALL CALCULATE  
24 THE COMMUNITY SOLAR BILL CREDIT ON A SUBSCRIBER'S MONTHLY BILL  
25 PURSUANT TO THE METHODOLOGY ESTABLISHED FOR COMMUNITY SOLAR  
26 GARDENS IN SECTION 40-2-127 (5)(b)(II)(A) TO (5)(b)(II)(H).

27 (d) IF A COMMUNITY SOLAR FACILITY IS NOT FULLY SUBSCRIBED IN

1 A GIVEN MONTH, THE UNSUBSCRIBED ELECTRICITY GENERATED BY THE  
2 FACILITY MAY BE ROLLED FORWARD ON THE COMMUNITY SOLAR FACILITY  
3 ACCOUNT FOR UP TO ONE YEAR AFTER THE MONTH OF GENERATION AND  
4 ALLOCATED BY THE SUBSCRIBER ORGANIZATION OR SUBSCRIPTION  
5 COORDINATOR TO SUBSCRIBERS AT ANY TIME DURING THAT YEAR. AT THE  
6 END OF THE ONE-YEAR PERIOD IN WHICH THE UNSUBSCRIBED ELECTRICITY  
7 WAS ROLLED FORWARD, ANY UNDISTRIBUTED COMMUNITY SOLAR BILL  
8 CREDITS ARE REMOVED, AND THE INVESTOR-OWNED ELECTRIC UTILITY  
9 WITH WHICH THE COMMUNITY SOLAR FACILITY IS INTERCONNECTED SHALL  
10 PURCHASE THE UNSUBSCRIBED ENERGY AT THE UTILITY'S AVERAGE  
11 HOURLY INCREMENTAL COST OF ELECTRICITY SUPPLY OVER THE  
12 IMMEDIATELY PRECEDING CALENDAR YEAR.

13 (e) A SUBSCRIBER ORGANIZATION, SUBSCRIPTION COORDINATOR,  
14 OR SUBSCRIBER MAY ELECT TO DONATE BANKED COMMUNITY SOLAR BILL  
15 CREDITS TO A THIRD-PARTY ADMINISTRATOR THAT IS QUALIFIED AND  
16 APPROVED BY THE UTILITY FOR THE PURPOSE OF PROVIDING ENERGY  
17 ASSISTANCE AND BILL REDUCTIONS TO INCOME-QUALIFIED UTILITY  
18 CUSTOMERS WITHIN THE UTILITY'S SERVICE TERRITORY.

19 (f) THE SUBSCRIBER ORGANIZATION SHALL RETIRE ANY  
20 RENEWABLE ENERGY CREDITS FOR ELECTRICITY GENERATED BY A  
21 COMMUNITY SOLAR FACILITY ON BEHALF OF THE SUBSCRIBER IN THE YEAR  
22 THE ELECTRICITY IS GENERATED. THE SUBSCRIBER ORGANIZATION SHALL  
23 TRANSFER ANY RENEWABLE ENERGY CREDITS FOR UNSUBSCRIBED ENERGY  
24 TO THE UTILITY, WHICH SHALL RETIRE THE CREDITS IN THE YEAR THE  
25 RENEWABLE ENERGY CREDITS ARE GENERATED.

26 (5) **Subscriber enrollment, verification, and protections.**

27 (a) SUBSCRIBER ORGANIZATIONS, SUBSCRIPTION COORDINATORS, AND

1 REPRESENTATIVES OF SUCH PERSONS ARE PROHIBITED FROM:

2 (I) USING CREDIT SCORES, UTILITY CUSTOMER SCORES, OR ANY  
3 UTILITY DEPOSIT REQUIREMENTS TO APPROVE OR DENY A PROSPECTIVE  
4 RESIDENTIAL SUBSCRIBER'S PARTICIPATION IN A COMMUNITY SOLAR  
5 FACILITY;

6 (II) CHARGING A SIGN-UP FEE OR TERMINATION FEE TO A  
7 RESIDENTIAL SUBSCRIBER;

8 (III) ENGAGING IN MISLEADING OR DECEPTIVE CONDUCT; AND

9 (IV) MAKING FALSE OR MISLEADING REPRESENTATIONS.

10 (b) (I) A SUBSCRIBER ORGANIZATION SHALL PROVIDE AN  
11 INCOME-QUALIFIED UTILITY CUSTOMER WHO IS A SUBSCRIBER A DISCOUNT  
12 OF AT LEAST TWENTY-FIVE PERCENT OF THE VALUE OF THE SUBSCRIBER'S  
13 COMMUNITY SOLAR BILL CREDIT BY LIMITING THE SUBSCRIBER'S  
14 SUBSCRIPTION CHARGE TO NO MORE THAN SEVENTY-FIVE PERCENT OF THE  
15 VALUE OF THE SUBSCRIBER'S COMMUNITY SOLAR BILL CREDIT.

16 (II) FOR A COMMUNITY SOLAR FACILITY THAT RECEIVES FEDERAL  
17 TAX INCENTIVES CREATED BY THE FEDERAL "INFLATION REDUCTION ACT  
18 OF 2022", PUB.L. 117-169, FOR THE SPECIFIC PURPOSE OF BEING LOCATED  
19 IN AN ENERGY COMMUNITY, THE SUBSCRIBER ORGANIZATION SHALL  
20 PROVIDE AN INCOME-QUALIFIED UTILITY CUSTOMER WHO IS A SUBSCRIBER  
21 A DISCOUNT OF AT LEAST THIRTY PERCENT OF THE VALUE OF THE  
22 SUBSCRIBER'S COMMUNITY SOLAR BILL CREDIT BY LIMITING THE  
23 SUBSCRIBER'S SUBSCRIPTION CHARGE TO NO MORE THAN SEVENTY  
24 PERCENT OF THE VALUE OF THE SUBSCRIBER'S COMMUNITY SOLAR BILL  
25 CREDIT.

26 (III) FOR A COMMUNITY SOLAR FACILITY THAT RECEIVES FEDERAL  
27 TAX INCENTIVES CREATED BY THE FEDERAL "INFLATION REDUCTION ACT

1 OF 2022", PUB.L. 117-169, TO PROVIDE UTILITY BILL SAVINGS TO  
2 INCOME-QUALIFIED HOUSEHOLDS PURSUANT TO FEDERAL ELIGIBILITY  
3 REQUIREMENTS, THE SUBSCRIBER ORGANIZATION SHALL PROVIDE AN  
4 INCOME-QUALIFIED UTILITY CUSTOMER WHO IS A SUBSCRIBER A DISCOUNT  
5 OF AT LEAST FIFTY PERCENT OF THE VALUE OF THE SUBSCRIBER'S  
6 COMMUNITY SOLAR BILL CREDIT BY LIMITING THE SUBSCRIBER'S  
7 SUBSCRIPTION CHARGE TO NO MORE THAN FIFTY PERCENT OF THE VALUE  
8 OF THE SUBSCRIBER'S COMMUNITY SOLAR BILL CREDIT.

9 (IV) FOR A COMMUNITY SOLAR FACILITY THAT RECEIVES BOTH OF  
10 THE FEDERAL TAX INCENTIVES DESCRIBED IN SUBSECTIONS (5)(b)(II) AND  
11 (5)(b)(III) OF THIS SECTION, THE SUBSCRIBER ORGANIZATION SHALL  
12 PROVIDE AN INCOME-QUALIFIED UTILITY CUSTOMER WHO IS A SUBSCRIBER  
13 A DISCOUNT OF AT LEAST FIFTY-FIVE PERCENT OF THE VALUE OF THE  
14 SUBSCRIBER'S COMMUNITY SOLAR BILL CREDIT BY LIMITING THE  
15 SUBSCRIBER'S SUBSCRIPTION CHARGE TO NO MORE THAN FORTY-FIVE  
16 PERCENT OF THE VALUE OF THE SUBSCRIBER'S COMMUNITY SOLAR BILL  
17 CREDIT.

18 (V) TO ENSURE THAT THE GUARANTEED DISCOUNTS DESCRIBED IN  
19 SUBSECTIONS (5)(b)(I), (5)(b)(II), (5)(b)(III), AND (5)(b)(IV) OF THIS  
20 SECTION ARE PROVIDED TO INCOME-QUALIFIED UTILITY CUSTOMERS, A  
21 SUBSCRIBER ORGANIZATION OR SUBSCRIPTION COORDINATOR SHALL  
22 PROVIDE, AT THE REQUEST OF THE COMMISSION, DETAILS REGARDING  
23 DISCOUNTS GRANTED TO INCOME-QUALIFIED UTILITY CUSTOMERS IN A  
24 FORM THAT IS SPECIFIED BY THE COMMISSION.

25 (VI) IN THE EVENT THAT THERE IS UNCLAIMED INCLUSIVE  
26 COMMUNITY SOLAR CAPACITY, STAKEHOLDERS MAY PETITION THE  
27 COMMISSION TO, OR THE COMMISSION MAY AT ITS DISCRETION, CONSIDER



1 ALTERING THE GUARANTEED DISCOUNTS DESCRIBED IN SUBSECTIONS  
2 (5)(b)(I), (5)(b)(II), (5)(b)(III), AND (5)(b)(IV) OF THIS SECTION FOR  
3 INCOME-QUALIFIED UTILITY CUSTOMERS.

4 (c) A SUBSCRIBER ORGANIZATION OR SUBSCRIPTION COORDINATOR  
5 SHALL USE ONE OF THE FOLLOWING METHODS TO VERIFY THE INCOME OF  
6 A PROSPECTIVE SUBSCRIBER, OR A MEMBER OF THE HOUSEHOLD FOR  
7 WHICH THE SUBSCRIPTION IS ATTRIBUTED, FOR ELIGIBILITY AS AN  
8 INCOME-QUALIFIED UTILITY CUSTOMER:

9 (I) SELF-ATTESTATION;

10 (II) PROOF OF RESIDENCE IN AN AFFORDABLE HOUSING  
11 COMMUNITY; OR

12 (III) EVIDENCE OF ELIGIBILITY FOR OR ENROLLMENT IN AT LEAST  
13 ONE OF THE FOLLOWING PROGRAMS:

14 (A) THE WEATHERIZATION ASSISTANCE PROGRAM IN THE  
15 COLORADO ENERGY OFFICE, AS DESCRIBED IN SECTION 24-38.5-102 (1)(g);

16 (B) THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM IN THE  
17 DEPARTMENT OF HUMAN SERVICES, ESTABLISHED IN PART 3 OF ARTICLE 2  
18 OF TITLE 26;

19 (C) MEDICAID, AS DEFINED IN SECTION 10-16-1203 (8);

20 (D) THE HEAD START PROGRAM IN THE DEPARTMENT OF EARLY  
21 CHILDHOOD, AS DEFINED IN SECTION 26.5-4-103 (6);

22 (E) FREE AND REDUCED-PRICE SCHOOL MEALS PURSUANT TO THE  
23 FEDERAL "RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH ACT", 42  
24 U.S.C. SEC. 1751 ET SEQ., OR A SIMILAR FREE OR REDUCED-PRICE SCHOOL  
25 MEALS PROGRAM;

26 (F) THE FEDERAL LOW-INCOME HOME ENERGY ASSISTANCE  
27 PROGRAM ADMINISTERED BY THE UNITED STATES DEPARTMENT OF

1 HEALTH AND HUMAN SERVICES' ADMINISTRATION FOR CHILDREN AND  
2 FAMILIES PURSUANT TO 42 U.S.C. SEC. 8621 ET SEQ., AS AMENDED; OR

3 (G) ANY OTHER GOVERNMENTAL OR LOCAL ASSISTANCE PROGRAM  
4 THAT THE COMMISSION DETERMINES QUALIFIES A PROSPECTIVE  
5 SUBSCRIBER FOR ELIGIBILITY AS AN INCOME-QUALIFIED UTILITY  
6 CUSTOMER.

7 (d) (I) THE COMMISSION SHALL ADOPT A UNIFORM DISCLOSURE  
8 FORM THAT IDENTIFIES THE INFORMATION THAT A SUBSCRIBER  
9 ORGANIZATION OR SUBSCRIPTION COORDINATOR SHALL PROVIDE TO A  
10 POTENTIAL SUBSCRIBER. THE DISCLOSURE FORM MUST:

11 (A) DISCLOSE FUTURE COSTS AND BENEFITS OF SUBSCRIPTIONS;

12 (B) DISCLOSE KEY CONTRACT TERMS;

13 (C) PROVIDE GRIEVANCE, ENFORCEMENT, AND CANCELLATION  
14 PROCEDURES;

15 (D) PROVIDE OTHER RELEVANT INFORMATION PERTAINING TO THE  
16 SUBSCRIPTIONS; AND

17 (E) BE OFFERED IN BOTH ENGLISH AND SPANISH LANGUAGES AND,  
18 WHEN APPROPRIATE, NATIVE AMERICAN OR INDIGENOUS LANGUAGES.

19 (II) THE COMMISSION MAY:

20 (A) AMEND THE UNIFORM DISCLOSURE FORM OR CONSOLIDATE THE  
21 FORM WITH OTHER EXISTING FORMS THAT ARE PROVIDED TO A POTENTIAL  
22 SUBSCRIBER OR APPLICABLE CUSTOMER TYPE, AS APPROPRIATE; AND

23 (B) REQUEST INFORMATION FROM AN INVESTOR-OWNED ELECTRIC  
24 UTILITY REGARDING THE QUANTITY, LOCATION, INCOME-QUALIFIED  
25 STATUS, AND BILL SAVINGS OF SUBSCRIBERS WITHIN THE UTILITY'S  
26 SERVICE TERRITORY.

27 (e) SUBSCRIBER ORGANIZATIONS ARE ENCOURAGED TO CONDUCT

1 TARGETED OUTREACH TO TRIBAL CUSTOMERS BY PARTNERING WITH  
2 COLORADO-BASED NONPROFIT ORGANIZATIONS THAT HAVE A PRIMARY  
3 MISSION OF IMPROVING THE SOCIOECONOMIC CONDITIONS OF AND  
4 PROVIDING ENERGY ASSISTANCE FOR TRIBAL CUSTOMERS WHO ARE NOT  
5 LOCATED ON A RESERVATION.

6 (6) **Cost recovery.** AN INVESTOR-OWNED ELECTRIC UTILITY MAY  
7 SEEK RECOVERY OF ENERGY PURCHASES FROM A COMMUNITY SOLAR  
8 FACILITY DEVELOPED AND OPERATED PURSUANT TO THIS SECTION IN A  
9 MANNER APPROVED BY THE COMMISSION BY RULE OR OTHER APPROPRIATE  
10 MECHANISM.

11 (7) **Interconnection - reports.** (a) AN INVESTOR-OWNED  
12 ELECTRIC UTILITY SHALL SHARE ALL RESULTS FROM ANY  
13 INTERCONNECTION STUDY CONDUCTED PURSUANT TO COMMISSION RULES  
14 WITH THE INTERCONNECTION APPLICANT PURSUANT TO UTILITY  
15 CONFIDENTIALITY REQUIREMENTS.

16 (b) THE COMMISSION SHALL DIRECT INVESTOR-OWNED ELECTRIC  
17 UTILITIES WITH MORE THAN FIVE HUNDRED THOUSAND CUSTOMERS TO  
18 DEVELOP PRO RATA INTERCONNECTION COST-SHARING MECHANISMS FOR  
19 SYSTEM UPGRADES WHEREBY A COMMUNITY SOLAR FACILITY ONLY PAYS  
20 THE FACILITY'S PROPORTIONAL SHARE OF NEWLY CREATED HOSTING  
21 CAPACITY ASSOCIATED WITH THE FACILITY.

22 (c) WHEN AN INVESTOR-OWNED ELECTRIC UTILITY WITH MORE  
23 THAN FIVE HUNDRED THOUSAND CUSTOMERS FILES A DISTRIBUTION  
24 SYSTEM PLAN WITH THE COMMISSION PURSUANT TO SECTION 40-2-132,  
25 THE INVESTOR-OWNED ELECTRIC UTILITY SHALL:

26 (I) PROVIDE INFORMATION WHEN INTERCONNECTION COSTS FOR A  
27 COMMUNITY SOLAR FACILITY EXCEED TWENTY CENTS PER WATT,

1 MEASURED IN ALTERNATING CURRENT, AND PROPOSE TO THE COMMISSION  
2 POTENTIAL SOLUTIONS TO FACILITATE FUTURE INTERCONNECTIONS IN  
3 THAT SAME GEOGRAPHIC AREA THAT MAY INCLUDE:

4 (A) COST-SHARING MECHANISMS AMONG SUBSCRIBER  
5 ORGANIZATIONS OR BETWEEN AN INTERCONNECTION APPLICANT AND THE  
6 UTILITY;

7 (B) DISTRIBUTION GRID UPGRADES, SUCH AS DISTRIBUTED ENERGY  
8 STORAGE, WHICH MAY BE FUNDED BY THE UTILITY, INTERCONNECTION  
9 APPLICANT, OR SOME COMBINATION OF THE UTILITY AND  
10 INTERCONNECTION APPLICANT; OR

11 (C) FLEXIBLE INTERCONNECTION PRACTICES; AND

12 (II) INCLUDE THE FOLLOWING INFORMATION IN A REPORT TO THE  
13 COMMISSION AS PART OF THE DISTRIBUTION SYSTEM PLAN, WHICH IS FILED  
14 WITH THE COMMISSION PURSUANT TO SECTION 40-2-132:

15 (A) THE AMOUNT OF INCLUSIVE COMMUNITY SOLAR CAPACITY  
16 AWARDED PURSUANT TO THIS SECTION;

17 (B) THE AMOUNT OF OPERATIONAL COMMUNITY SOLAR CAPACITY  
18 DEVELOPED PURSUANT TO THIS SECTION AND SECTION 40-2-127; AND

19 (C) A NARRATIVE DETAILING THE UTILITY'S PROGRESS TOWARD  
20 FACILITATING COST-EFFECTIVE INTERCONNECTION OF COMMUNITY SOLAR  
21 FACILITIES WITH THE UTILITY'S DISTRIBUTION SYSTEM.

22 (d) THE COMMISSION MAY APPROVE, CONDITIONALLY APPROVE,  
23 MODIFY, OR REJECT ANY PROPOSED INTERCONNECTION SOLUTION OFFERED  
24 BY AN INVESTOR-OWNED ELECTRIC UTILITY PURSUANT TO THIS  
25 SUBSECTION (7).

26 (8) **Program administration.** (a) THE COMMISSION SHALL:

27 (I) ADOPT AND ENFORCE ALL RULES REQUIRED UNDER THIS

1 SECTION;

2 (II) REQUIRE INVESTOR-OWNED ELECTRIC UTILITIES TO FILE THE  
3 TARIFFS, THE AGREEMENTS, OR OTHER FORMS NECESSARY FOR THE  
4 IMPLEMENTATION OF THIS SECTION;

5 (III) ESTABLISH A DEADLINE BY WHICH AN INVESTOR-OWNED  
6 ELECTRIC UTILITY WITH MORE THAN FIVE HUNDRED THOUSAND  
7 CUSTOMERS SHALL IMPLEMENT A CONSOLIDATED BILLING PROGRAM AND  
8 DIRECT THE UTILITY TO TRACK ALL COSTS ASSOCIATED WITH  
9 IMPLEMENTING AND OPERATING THE CONSOLIDATED BILLING PROGRAM SO  
10 THAT THE COMMISSION MAY ESTABLISH A FEE TO BE PAID TO THE  
11 INVESTOR-OWNED ELECTRIC UTILITY BY SUBSCRIBER ORGANIZATIONS  
12 THAT ELECT TO UTILIZE A CONSOLIDATED BILLING PROGRAM IN ORDER TO  
13 OFFSET THE COSTS OF IMPLEMENTING AND OPERATING THE CONSOLIDATED  
14 BILLING PROGRAM;

15 (IV) COORDINATE WITH THE COLORADO ENERGY OFFICE CREATED  
16 IN SECTION 24-38.5-101 (1) TO ENSURE ALIGNMENT WITH ANY FEDERAL  
17 GRANT FUNDING RECEIVED BY THE STATE FOR THE PURPOSE OF  
18 SUPPORTING LOW-INCOME COMMUNITY SOLAR PROJECTS;

19 (V) CONSULT WITH THE COLORADO ELECTRIC TRANSMISSION  
20 AUTHORITY, CREATED IN ARTICLE 42 OF TITLE 40, AS APPROPRIATE, TO  
21 PLAN FOR AND OPTIMIZE THE USE OF COMMUNITY SOLAR FACILITIES  
22 ESTABLISHED PURSUANT TO THIS SECTION;

23 (VI) CLARIFY THAT SUBSCRIBER ORGANIZATIONS, SUBSCRIPTION  
24 COORDINATORS, OR SUBSCRIBERS ARE NOT CONSIDERED PUBLIC UTILITIES  
25 SUBJECT TO REGULATION BY THE COMMISSION SOLELY AS A RESULT OF  
26 THEIR PARTICIPATION IN INCLUSIVE COMMUNITY SOLAR;

27 (VII) CONSIDER THE INTEGRATION OF COMMUNITY SOLAR

1 SUBSCRIPTIONS FOR INCOME-QUALIFIED UTILITY CUSTOMERS WITH OTHER  
2 PROGRAMS DESIGNED TO REDUCE CUSTOMER UTILITY BILLS AND DELIVER  
3 ENERGY-RELATED SERVICES, INCLUDING PROGRAMS RELATED TO  
4 DEMAND-SIDE MANAGEMENT, BENEFICIAL ELECTRIFICATION, AND  
5 TRANSPORTATION ELECTRIFICATION; AND

6 (VIII) CONDUCT MULTILINGUAL AND CULTURALLY RELEVANT  
7 OUTREACH TO ENGAGE, EDUCATE, AND SOLICIT INPUT FROM  
8 REPRESENTATIVES FROM DISPROPORTIONATELY IMPACTED COMMUNITIES,  
9 IN ACCORDANCE WITH SECTION 40-2-108, AND CONSIDER ADDITIONAL  
10 STRATEGIES AS NECESSARY TO ENSURE ROBUST PARTICIPATION BY  
11 MEMBERS OF DISPROPORTIONATELY IMPACTED COMMUNITIES IN INCLUSIVE  
12 COMMUNITY SOLAR. INDIVIDUALS WHO PARTICIPATE IN THE OUTREACH  
13 CONDUCTED BY THE COMMISSION SHALL BE COMPENSATED FOR THEIR  
14 PARTICIPATION AT A LEVEL DETERMINED APPROPRIATE BY THE  
15 COMMISSION.

16 (b) ON OR BEFORE NOVEMBER 1, 2025, THE COMMISSION SHALL  
17 PROMULGATE RULES OR ORDERS NECESSARY TO:

18 (I) ENABLE THE ALLOCATION OF INCLUSIVE COMMUNITY SOLAR  
19 CAPACITY PURSUANT TO THIS SECTION; AND

20 (II) ESTABLISH A PROCESS TO PRIORITIZE COMMUNITY SOLAR  
21 FACILITIES LOCATED ON PREFERRED LOCATIONS OVER COMMUNITY SOLAR  
22 FACILITIES NOT LOCATED ON PREFERRED LOCATIONS, WHICH PROCESS  
23 MUST ONLY BE USED TO PRIORITIZE BETWEEN FACILITIES APPLYING FOR  
24 INCLUSIVE COMMUNITY SOLAR CAPACITY ON THE DAY THAT QUALIFIED  
25 COMMUNITY SOLAR FACILITY APPLICATIONS EXCEED THE REMAINING  
26 AVAILABLE CAPACITY IN AN ANNUAL CAPACITY ALLOCATION CYCLE;  
27 HOWEVER, THE COMMISSION SHALL NOT CREATE A WAITING LIST THAT

1 CARRIES OVER INTO THE NEXT YEAR.

2 (c) ON OR BEFORE JANUARY 1, 2029, THE COMMISSION SHALL  
3 REPORT TO THE HOUSE OF REPRESENTATIVES ENERGY AND ENVIRONMENT  
4 COMMITTEE AND THE SENATE TRANSPORTATION AND ENERGY COMMITTEE,  
5 OR THEIR SUCCESSOR COMMITTEES, ON THE COMMUNITY SOLAR FACILITIES  
6 DEVELOPED PURSUANT TO THIS SECTION. THE REPORT MUST INCLUDE:

7 (I) THE PERCENTAGE OF AWARDED INCLUSIVE COMMUNITY SOLAR  
8 CAPACITY THAT WAS SUCCESSFULLY INTERCONNECTED TO  
9 INVESTOR-OWNED ELECTRIC UTILITY DISTRIBUTION SYSTEMS;

10 (II) THE TOTAL NUMBER OF INCOME-QUALIFIED UTILITY  
11 CUSTOMERS WHO ARE SUBSCRIBERS SERVED BY A COMMUNITY SOLAR  
12 FACILITY AND ANY IMPACTS THAT THE SUBSCRIPTIONS HAVE ON THE  
13 AVERAGE ANNUAL BILL COST OF THOSE INCOME-QUALIFIED UTILITY  
14 CUSTOMERS;

15 (III) THE TOTAL NUMBER OF INCOME-QUALIFIED UTILITY  
16 CUSTOMERS WHO PARTICIPATED IN INCLUSIVE COMMUNITY SOLAR IN  
17 CONJUNCTION WITH OTHER PROGRAMS DESIGNED TO REDUCE CUSTOMER  
18 UTILITY BILLS, SUPPORT BENEFICIAL ELECTRIFICATION, AND ADVANCE  
19 ENERGY EFFICIENCY; AND

20 (IV) ANY OTHER INFORMATION RELATED TO COMMUNITY SOLAR  
21 FACILITIES DEVELOPED PURSUANT TO THIS SECTION THAT THE COMMISSION  
22 DEEMS NECESSARY.

23 (d) (I) THE COMMISSION MAY PERIODICALLY CONDUCT  
24 RULE-MAKING OR ISSUE ORDERS, IN ACCORDANCE WITH SUBSECTION (3)(c)  
25 OF THIS SECTION, RELATED TO THE DEVELOPMENT OF INCLUSIVE  
26 COMMUNITY SOLAR FACILITIES IN ACCORDANCE WITH SECTION.

27 (II) THE COMMISSION SHALL SOLICIT INPUT FROM SUBSCRIBERS,

1 SUBSCRIBER ORGANIZATIONS, SUBSCRIPTION COORDINATORS,  
2 INVESTOR-OWNED ELECTRIC UTILITIES, AND OTHER STAKEHOLDERS  
3 DURING ANY RULE-MAKING OR ORDERS THAT ARE RELATED TO INCLUSIVE  
4 COMMUNITY SOLAR.

5 (9) **Applicability.** (a) THIS SECTION APPLIES TO INCLUSIVE  
6 COMMUNITY SOLAR CAPACITY THAT IS ALLOCATED ON OR AFTER JANUARY  
7 1, 2026.

8 (b) COMMUNITY SOLAR CAPACITY THAT IS ALLOCATED ON OR  
9 BEFORE DECEMBER 31, 2025, IS ALLOCATED PURSUANT TO SECTION  
10 40-2-127.

11 **SECTION 4.** In Colorado Revised Statutes, **add** 40-2-130.5 as  
12 follows:

13 **40-2-130.5. Dispatchable distributed generation - energy**  
14 **storage - definitions - program capacity - program administration -**  
15 **rules.** (1) **Definitions.** AS USED IN THIS SECTION, UNLESS THE CONTEXT  
16 OTHERWISE REQUIRES:

17 (a) "DISPATCHABLE DISTRIBUTED GENERATION" MEANS  
18 DISTRIBUTED GENERATION PAIRED WITH A CO-LOCATED ENERGY STORAGE  
19 SYSTEM THAT IS:

20 (I) DIRECTLY INTERCONNECTED TO AN INVESTOR-OWNED  
21 ELECTRIC UTILITY'S DISTRIBUTION SYSTEM AND IS NOT BEHIND A  
22 CUSTOMER METER; AND

23 (II) MEASURED BY THE CAPACITY OF THE DISTRIBUTED  
24 GENERATION IN ALTERNATING CURRENT.

25 (b) "DISTRIBUTED GENERATION" MEANS A RENEWABLE ENERGY  
26 RESOURCE AS DEFINED IN SECTION 40-2-124 (1)(a)(VII) THAT  
27 INTERCONNECTS TO A UTILITY'S DISTRIBUTION SYSTEM.



1 (c) "ENERGY STORAGE SYSTEM" HAS THE SAME MEANING AS SET  
2 FORTH IN SECTION 40-2-130 (2)(a).

3 (d) "INVESTOR-OWNED ELECTRIC UTILITY" OR "UTILITY" MEANS A  
4 RETAIL ELECTRIC UTILITY IN THE STATE THAT IS NOT A COOPERATIVE  
5 ELECTRIC ASSOCIATION OR A MUNICIPALLY OWNED ELECTRIC UTILITY.

6 (2) **Program capacity.** (a) ON OR BEFORE JUNE 1, 2026, AN  
7 INVESTOR-OWNED ELECTRIC UTILITY WITH MORE THAN FIVE HUNDRED  
8 THOUSAND CUSTOMERS SHALL ACQUIRE AT LEAST FIFTY MEGAWATTS OF  
9 DISPATCHABLE DISTRIBUTED GENERATION.

10 (b) ON OR AFTER JANUARY 1, 2027, BUT BEFORE JUNE 1, 2027, AN  
11 INVESTOR-OWNED ELECTRIC UTILITY WITH MORE THAN FIVE HUNDRED  
12 THOUSAND CUSTOMERS SHALL ACQUIRE AT LEAST FIFTY MEGAWATTS OF  
13 DISPATCHABLE DISTRIBUTED GENERATION.

14 (c) TO ENSURE THAT AN INVESTOR-OWNED ELECTRIC UTILITY WITH  
15 MORE THAN FIVE HUNDRED THOUSAND CUSTOMERS ACQUIRES  
16 DISPATCHABLE DISTRIBUTED GENERATION IN ACCORDANCE WITH  
17 SUBSECTIONS (2)(a) AND (2)(b) OF THIS SECTION, THE COMMISSION SHALL:

18 (I) DETERMINE THE PROCEDURES FOR A UTILITY TO ACQUIRE  
19 DISPATCHABLE DISTRIBUTED GENERATION;

20 (II) ESTABLISH A METHODOLOGY THAT ASCRIBES VALUE TO  
21 DISPATCHABLE DISTRIBUTED GENERATION LOCATED IN SPECIFIC AREAS OF  
22 THE ELECTRIC GRID IN ORDER TO DIRECT THE DEVELOPMENT OF  
23 DISPATCHABLE DISTRIBUTED GENERATION RESOURCES IN OPTIMAL  
24 LOCATIONS; AND

25 (III) ADOPT ANY OTHER PROGRAM- OR PROJECT-SPECIFIC  
26 REQUIREMENTS THE COMMISSION DEEMS NECESSARY TO FACILITATE THE  
27 ACQUISITION OF DISPATCHABLE DISTRIBUTED GENERATION, INCLUDING

1 ALL APPLICABLE REQUIREMENTS OF THE "COLORADO ENERGY SECTOR  
2 PUBLIC WORKS PROJECT CRAFT LABOR REQUIREMENTS ACT", PART 3 OF  
3 ARTICLE 92 OF TITLE 24, FOR DISPATCHABLE DISTRIBUTED GENERATION  
4 PROJECTS THAT QUALIFY AS AN "ENERGY SECTOR PUBLIC WORKS PROJECT"  
5 AS DEFINED IN SECTION 24-92-303 (5).

6 (d) ON OR BEFORE JUNE 1, 2028, AND PERIODICALLY THEREAFTER,  
7 THE COMMISSION SHALL DETERMINE THE PROCEDURE AND CAPACITY  
8 AMOUNTS FOR FUTURE ACQUISITIONS OF DISPATCHABLE DISTRIBUTED  
9 GENERATION BY AN INVESTOR-OWNED ELECTRIC UTILITY.

10 (3) **Program administration.** THE COMMISSION SHALL:

11 (a) ADOPT AND ENFORCE ALL RULES REQUIRED UNDER THIS  
12 SECTION;

13 (b) REQUIRE ALL APPLICABLE INVESTOR-OWNED ELECTRIC  
14 UTILITIES TO FILE THE TARIFFS, THE AGREEMENTS, OR OTHER FORMS AND  
15 DOCUMENTS NECESSARY FOR THE IMPLEMENTATION OF THIS SECTION; AND

16 (c) CONSULT WITH THE COLORADO ELECTRIC TRANSMISSION  
17 AUTHORITY, CREATED IN SECTION 40-42-103, AS NECESSARY TO PLAN FOR  
18 AND OPTIMIZE THE USE OF DISPATCHABLE DISTRIBUTED GENERATION THAT  
19 IS ACQUIRED AND DEVELOPED IN ACCORDANCE WITH THIS SECTION.

20 **SECTION 5. Safety clause.** The general assembly finds,  
21 determines, and declares that this act is necessary for the immediate  
22 preservation of the public peace, health, or safety or for appropriations for  
23 the support and maintenance of the departments of the state and state  
24 institutions.