

Second Regular Session  
Sixty-eighth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 12-0030.01 Duane Gall x4335

HOUSE BILL 12-1123

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**HOUSE SPONSORSHIP**

**Conti**, Becker, Brown, DelGrosso, Holbert, Murray, Nikkel, Ramirez, Scott, Summers, Swalm, Szabo

**SENATE SPONSORSHIP**

(None),

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**House Committees**  
Transportation

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING AN INCREASE IN THE TRANSPARENCY OF PROCEEDINGS**  
102           **BEFORE THE PUBLIC UTILITIES COMMISSION BY REQUIRING THE**  
103           **COMMISSION TO REPORT ANNUALLY TO THE GENERAL**  
104           **ASSEMBLY REGARDING MATTERS DISCUSSED ON THE RECORD IN**  
105           **ENERGY RATE CASE HEARINGS.**

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

The bill requires the director of the public utilities commission

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.*

(PUC) or the director's designee to report annually to the joint house and senate transportation committees regarding matters discussed on the record in energy rate case hearings that were decided by the commission during the immediately preceding 2 years.

For all rate cases included in the report, the bill directs the commission to estimate the economic impact of the rates involved, including the average increase or decrease in ratepayers' monthly bills.

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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** 40-2-103 as  
3 follows:

4 **40-2-103. Director - duties - report.** (1) The executive director  
5 of the department of regulatory agencies, pursuant to section 13 of article  
6 XII of the state constitution, and with the approval of the commission,  
7 shall appoint a director of the commission. The director ~~of the agency~~  
8 shall manage the operations of the ~~agency~~ COMMISSION in order to carry  
9 out the public utilities law, to carry out and implement policies,  
10 procedures, and decisions made by the commission, ~~as defined in section~~  
11 ~~40-2-101 (1)~~, and to meet the requirements of the commission concerning  
12 any matters within the authority of an agency transferred by a **type 1**  
13 transfer, as defined in section 24-1-105, C.R.S., and which  
14 REQUIREMENTS are under the jurisdiction of the commission. The director  
15 ~~shall have~~ HAS all the powers and responsibilities of the division director  
16 for this purpose, including the power to issue all necessary process, writs,  
17 warrants, and notices. The director ~~shall have~~ HAS the requisite power to  
18 serve warrants and other process in any county or city and county of this  
19 state and to delegate such actions to duly authorized employees or agents  
20 of the agency as appropriate.

21 (2) (a) BEGINNING WITH THE FIRST REGULAR SESSION OF THE  
22 SIXTY-NINTH GENERAL ASSEMBLY, THE DIRECTOR OF THE COMMISSION OR

1 THE DIRECTOR'S DESIGNEE SHALL PRESENT AN ANNUAL REPORT TO THE  
2 JOINT HOUSE AND SENATE TRANSPORTATION COMMITTEES, OR ANY  
3 SUCCESSOR COMMITTEES, REGARDING ENERGY RATE CASES IN WHICH  
4 HEARINGS WERE HELD BEFORE THE COMMISSION DURING THE  
5 IMMEDIATELY PRECEDING TWO YEARS. THE REPORT AND ANY  
6 ACCOMPANYING MATERIALS MAY BE PREPARED AND SUBMITTED TO THE  
7 COMMITTEES ELECTRONICALLY, AND MUST INCLUDE THE DISPOSITION OF  
8 EACH ENERGY UTILITY RATE CASE BY THE COMMISSION; THE AMOUNT OF  
9 ANY INCREASE OR DECREASE IN RATES THAT RESULTED FROM EACH  
10 ENERGY UTILITY RATE CASE, EXPRESSED AS A PERCENTAGE OF THE TOTAL  
11 AMOUNT BILLED TO RATEPAYERS PER MONTH AND PER YEAR; AND THE  
12 DOLLAR AMOUNT OF THE AVERAGE INCREASE OR DECREASE IN THE  
13 MONTHLY BILL PAID BY EACH ENERGY UTILITY RATEPAYER.

14 (b) THE DIRECTOR SHALL NOT REPORT ON MATTERS OUTSIDE THE  
15 SCOPE OF THE EVIDENCE AND TESTIMONY PRESENTED AT THE HEARING,  
16 NOR IS THE COMMISSION REQUIRED TO CONSIDER IN THE HEARING, OR  
17 INCLUDE IN ITS REPORT, ANY PROFFERED EVIDENCE OR TESTIMONY NOT  
18 ADMITTED INTO THE RECORD AT THE HEARING.

19 **SECTION 2. Act subject to petition - effective date.** This act  
20 shall take effect at 12:01 a.m. on the day following the expiration of the  
21 ninety-day period after final adjournment of the general assembly (August  
22 7, 2012, if adjournment sine die is on May 9, 2012); except that, if a  
23 referendum petition is filed pursuant to section 1 (3) of article V of the  
24 state constitution against this act or an item, section, or part of this act  
25 within such period, then the act, item, section, or part shall not take effect  
26 unless approved by the people at the general election to be held in

1 November 2012 and shall take effect on the date of the official  
2 declaration of the vote thereon by the governor.