

**First Regular Session  
Seventieth General Assembly  
STATE OF COLORADO**

**REREVISED**

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

LLS NO. 15-0984.01 Duane Gall x4335

**HOUSE BILL 15-1284**

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**HOUSE SPONSORSHIP**

**Winter and Roupe, Garnett**

**SENATE SPONSORSHIP**

**Grantham and Hodge,**

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**House Committees**  
Transportation & Energy

**Senate Committees**  
Agriculture, Natural Resources, & Energy

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**A BILL FOR AN ACT**

101 **CONCERNING MEASURES TO ENHANCE PROGRAM EFFICIENCY FOR**  
102 **SHARED PHOTOVOLTAIC ENERGY GENERATION FACILITIES.**

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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>.)*

Under Colorado's renewable energy standard, qualifying retail utilities are required to obtain a portion of their energy from renewable sources, including customer-sited facilities such as rooftop solar panels. Recent legislation allowed customers who wished to install such facilities, but whose property was not well suited to that purpose, to buy into a centrally located facility with other customers (subscribers). This

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.*

SENATE  
3rd Reading Unamended  
April 27, 2015

SENATE  
2nd Reading Unamended  
April 24, 2015

HOUSE  
3rd Reading Unamended  
March 24, 2015

HOUSE  
Amended 2nd Reading  
March 23, 2015

arrangement is known as a community solar garden or CSG.

The existing CSG statute requires a subscriber to live in the same county as the CSG unless the subscriber lives in a county with a population of less than 20,000, in which case the CSG may be in an adjacent county that also has a population of less than 20,000. The bill deletes these population requirements. It also increases the minimum number of subscribers in a CSG from the current minimum of 10 to at least 25 for installations larger than 500 kilowatts. Provisions governing a utility's recovery of costs attributable to operation of a CSG are amended to more precisely define the types of costs for which recovery is allowed and the methods by which they may be recovered.

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

2 **SECTION 1.** In Colorado Revised Statutes, 40-2-127, **amend** (2)

3 (b) (II) as follows:

4 **40-2-127. Community energy funds - community solar**  
5 **gardens - definitions - rules - legislative declaration. (2) Definitions.**

6 As used in this section, unless the context otherwise requires:

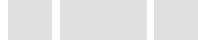
7 (b) In addition:

8 

9 (II) "Subscriber" means a retail customer of a qualifying retail  
10 utility who owns a subscription and who has identified one or more  
11 physical locations to which the subscription ~~shall be~~ IS attributed. Such  
12 physical locations ~~shall~~ MUST be ~~within either the same municipality or~~  
13 ~~the same county as the community solar garden; except that, if the~~  
14 ~~subscriber lives in a county with a population of less than twenty~~  
15 ~~thousand, according to the most recent available census figures, such~~  
16 ~~physical locations may be in another county, also with a population of less~~  
17 ~~than twenty thousand; within the service territory of the same qualifying~~  
18 retail utility and also IN THE SAME COUNTY AS, OR A COUNTY adjacent to,  
19 that of the community solar garden. The subscriber may change from time

1 to time the premises to which the community solar garden electricity  
2 generation shall be attributed, so long as the premises are within the  
3 geographical limits allowed for a subscriber.

4



5 **SECTION 2. Safety clause.** The general assembly hereby finds,  
6 determines, and declares that this act is necessary for the immediate  
7 preservation of the public peace, health, and safety.