

SB20-128 be amended as follows:

1 Amend printed bill, page 9, after line 11 insert:

2 "SECTION 4. In Colorado Revised Statutes, 40-15-604, amend
3 (3), (7), and (8)(a) as follows:

4 **40-15-604. Electric utility obligations.** (3) Subject to the
5 requirements of subsection (1) of this section, nothing in this section
6 requires an electric utility OR A GENERATION AND TRANSMISSION
7 COOPERATIVE to offer or grant a right to access or use an electric
8 easement or to use attached facilities or electric service infrastructure
9 owned or controlled by the electric utility OR GENERATION AND
10 TRANSMISSION COOPERATIVE in a manner that would, in the electric
11 utility's ~~reasonable~~ OR GENERATION AND TRANSMISSION COOPERATIVE'S
12 SOLE discretion, ~~materially~~ interfere with the electric utility's OR
13 GENERATION AND TRANSMISSION COOPERATIVE'S construction,
14 maintenance, or use of any electric utility OR GENERATION AND
15 TRANSMISSION COOPERATIVE infrastructure for the provision of electric
16 service.

17 (7) Notwithstanding any provision of this part 6 to the contrary,
18 an electric utility OR GENERATION AND TRANSMISSION COOPERATIVE that
19 is subject to regulation under 47 U.S.C. sec. 224, as amended, and the
20 FCC regulations promulgated pursuant to that federal law, is not subject
21 to this section.

22 (8) Nothing in this part 6:

23 (a) Subjects an electric utility OR GENERATION AND TRANSMISSION
24 COOPERATIVE to regulation by the FCC;"

25 Renumber succeeding sections accordingly.

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