





electricity sales by 2030 relative to 2005 levels (based upon a CO<sub>2</sub>e calculation as provided for in the verification workbook); and,

- (ii) For utilities subject to regulation by the PUC, the PUC approves a plan that achieves a seventy-five percent reduction in GHG emissions caused by the utility's Colorado retail electricity sales by 2030 relative to 2005 levels, and achieves a seventy-five percent reduction in GHG emissions from combined retail plus wholesale sales by 2030 relative to 2005 levels (based upon a CO<sub>2</sub>e calculation as provided for in the verification workbook).

These two fundamental concepts are interrelated in that the “comprehensive safe harbor” would apply based on a projected emissions reduction that starts from the adjusted 2005 emissions baseline.

10. The Commission understands the nature of the “comprehensive safe harbor” would extend the safe harbor afforded under section 25-7-105(1)(e)(VIII)(C), C.R.S., to include GHG emissions associated with wholesale electricity sales in addition to those from retail electricity sales where a utility has received PUC approval of a qualifying Clean Energy Plan.
11. The Commission recognizes the “comprehensive safe harbor” is intended to ensure consistent and equal treatment of all emissions associated with the electricity supplied by a utility given resource planning covers resource needs for both wholesale and retail customers. The “comprehensive safe harbor” is also consistent with the electric sector target contained in the GHG strategy resolution adopted by this Commission.
12. The Commission, having reviewed the public comments received through the Clean Energy Plan Guidance development process, acknowledges that multiple diverse entities requested that the Commission acknowledge certain policy considerations negotiated by the workgroup participants including the “comprehensive safe harbor.” The Commission further acknowledges, without reaching a determination, that the inclusion of wholesale sales in the safe harbor may advance additional GHG emissions reductions by encouraging utilities to reduce emissions from both retail and wholesale electricity sales.
13. The Commission also acknowledges the administrative efficiency benefits of a Clean Energy Plan addressing emissions from both wholesale and retail electricity sales, which simultaneously encourages system-wide emissions reductions for utilities with both retail and wholesale electricity sales and avoids separate emissions reduction requirements applicable to retail and wholesale electricity sales, respectively. By adjusting the 2005 baseline, the “comprehensive safe harbor” can maximize the number of Clean Energy Plans filed by utilities while enabling a comprehensive accounting of emissions reductions and avoiding double counting emissions reductions between Clean Energy Plans filed by different utilities.
14. For the above stated reasons, the Commission recognizes the rationale supporting the “comprehensive safe harbor,” including the adjusted baseline to avoid double-counting under Section 25-7-105(1)(e)(VIII)(C), C.R.S., and acknowledges the potential benefit of the “comprehensive safe harbor” in the Commission’s design, implementation, and enforcement of programs and requirements under section 25-7-105(1)(e), C.R.S.