



Stand.earth  
548 Market Street  
Suite 74196  
San Francisco, CA 94104

My name is Amy Gray and I am the Senior Climate Finance Strategist at Stand.earth (<https://www.stand.earth/>) and a Colorado resident. I present testimony in support of [Senate Bill 23-016](#), Stand.earth is an international environmental advocacy group which coordinates the [Climate Safe Pensions Network](#) working to de-risk pension funds and accelerate investments in climate solutions. We urge the legislators of Colorado to support the passage of the bill.

The proposed bill requires the Public Employees' Retirement Association (PERA) board to adopt proxy voting procedures that ensure that PERA's votes align with and support statewide greenhouse gas emission reduction goals. It also requires PERA to publicly report a description of climate-related investment risks, impacts, and strategies. With over 80% of the world's population experiencing extreme weather linked to climate change, investments and subsequent divestments in fossil fuels have become a focal point for mitigating the financing behind the planet's most destructive industry. I believe that transparency of Colorado's investments is critical to ensure a livable planet for future generations and open the door to discussions about how our investments contribute to climate catastrophe.

These investment holdings are public information and should be treated as such. PERA should be required to publicly report how their investments hold climate related risks, how they impact Colorado communities, and the strategies PERA is taking to mitigate those risks. Although PERA has "embraced" shareholder engagement as a strategy, their voting record has not aligned with a net zero emissions future. This bill will ensure those votes align with those goals.

Further, [A 2022 report](#) by Stand.earth and Climate Safe Pensions Network found that PERA has over \$2 billion invested in over 650 companies with direct ties to oil, gas, and coal. Additionally, a [recent study](#) conducted by Corporate Knights estimates that PERA is valued at \$2.7 billion less than it would have been had it divested from fossil fuels a decade ago. That's a \$1 billion increase in losses since the 2019 Corporate Knights Report and represents a massive loss of over \$4,100 per PERA member! Colorado PERA should be adopting voting procedures that align with and support our statewide greenhouse gas reduction goals and protecting pensions for workers. Colorado has codified into law HB1261, Climate Action Plan to Reduce Pollution, with a goal of reducing 2025 greenhouse gas emissions by at least 26%, 2030 greenhouse gas emissions by at least 50%, and 2050 greenhouse gas emissions by at

least 90% of the levels of statewide greenhouse gas emissions that existed in 2005. Continuing to invest our public funds and pensions in fossil fuels does not serve us in achieving these goals and neither does voting against shareholder resolutions that don't align with this plan.

I am a Colorado resident and my family is directly affected by fires and flooding every year. We live in a constant state of extremely unhealthy air quality during the summer and fall months when wildfire season is in full swing. Impacts of climate change are already being felt here in Colorado. In December of 2021, the Marshall Fire destroyed over 1,000 homes, with the estimated cost of damage totalling [over \\$513 million](#). This fire is a stark warning of what is to come if we do not rapidly transition off of fossil fuels. Without immediate action we will see increasingly frequent and extreme weather patterns which will take a devastating toll on our communities across the state.

Colorado finds itself at a key moment, when the economics of the industry are clearly structurally declining in the long term - your investing horizon - not the short term. Climate science has never been clearer; impacts of fossil fuels companies on frontline and BIPOC communities are well-known and documented; viable, investable alternatives exist; and other pensions have already broken the ground.

We urge you to support and pass SB23-016. It is critical that Colorado leads in protecting the state's pension funds and the retirement future for all its first responders, teachers and public employees. They are the backbone of our communities and they deserve the very best we can give them. This is a monumental first step in what could surely be a shining example for other states and a legacy you can be proud of.

Respectfully,

Amy Gray  
Senior Climate Finance Strategist  
Stand.earth



TO: Bill Sponsors: Hansen, McCormick, and Sirota  
Member of the Senate Finance Committee: Mullica, Kolker, Priola, Simpson,  
Smallwood, Van Winkle, and Winter

FROM: The Colorado Renewable Energy Society (CRES)

DATE: February 21st, 2023

RE: SB23-016  
Concerning Measures to Promote Reductions in Greenhouse Gas  
Emissions in Colorado

Dear Bill Sponsors and Members of the Colorado Senate Finance Committee:

CRES would like to thank the sponsors of SB23-016, "Concerning Measures to Promote Reductions in Greenhouse Gas Emissions in Colorado."

Global heating has led to increasing Colorado wildfires that have set records for both size and destruction. The climate crisis has also added to a range of other environmental challenges in Colorado.

Improvements, such as those proposed in SB23-016, are welcome advances to Colorado's leadership to address these challenges.

CRES strongly supports every section of this bill, with the exception of Section 7 (concerning injection of GHG in wells), due to a lack of a CRES consensus on that single matter.

**Support**

**Section 1** - Regarding insurance company requirement to issue a certificate regarding participation in the National Association of Insurance Commissioners' "Insurer Climate Risk Disclosure Survey."

**Support (see notes below)**

**Section 2** - Requires PERA, on or before June 1, 2024, to adopt proxy voting procedures that ensure that the board's voting decisions align with, and are supportive of, the statewide GHG emission reduction goals.

**Support (see notes below)**

**Section 3** - Requires PERA to include as part of its annual investment stewardship report a description of their climate-related investment risks, impacts, and strategies.

**Support**

**Section 4** - Adds wastewater thermal energy equipment to the definition of "pollution control equipment," which equipment may be certified by the CDPHE.

**Support**

**Section 5** - Adds wastewater thermal energy to the definition of "clean heat resource," which resource a gas distribution utility includes in its clean heat plan filed with the PUC.

**Support**

**Section 6** – We strongly support an update to the statewide GHG emission reduction goals to add a 65% reduction goal for 2035, an 80% reduction goal for 2040, and a 90% reduction goal for 2045 when compared to 2005 GHG pollution levels. Section 6 also increases the 2050 GHG emission reduction goal from 90% of 2005 GHG pollution levels to 100%.

**Limited support, with reservations (see notes below)**

**Section 7** - Gives the COGCC authority over class VI injection wells used for sequestration of GHG if the governor and COGCC determine, in accordance with a study that the COGCC conducted in 2021, that the state has sufficient resources to ensure the safe and effective regulation of the sequestration of GHG.

**Support**

**Section 8** - Establishes a state income tax credit in an amount equal to 30% of the purchase price for new, electric-powered lawn equipment for purchases made in income tax years 2024 through 2026. A seller of new, electric-powered lawn equipment that demonstrates that it provided a purchaser a 30% discount from the purchase price of new, electric-powered lawn equipment may claim the tax credit.

**Support**

**Section 9** - Current law requires an electric retail utility to offer a net metering credit as the means of purchasing output from a community solar garden (CSG) located within the utility's service territory and establishes the means of calculating the net metering credit. Maintains that calculation if the CSG indicates to the utility that the CSG's subscribers' bill credits change annually. If the CSG indicates to the utility that the CSG's subscribers' bill credits remain fixed, however, section 9 provides a different calculation for determining the net metering credit.

**Support**

**Sections 10 through 12** - Incorporate projects to renovate or recondition existing utility transmission lines into the "Colorado Electric Transmission Authority Act," allowing CETA to finance and renovate, rebuild, or recondition existing transmission lines in order to update and optimize the transmission lines.

**Support**

**Section 13** - Requires a local government to expedite its review of a land use application that proposes a project to renovate, rebuild, or recondition existing transmission lines.

**Support**

**Section 14** - Makes a conforming amendment regarding the updated statewide GHG emission reduction goals set forth in section 6.

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**Notes:**

**Support for Section 2** that requires PERA, on or before June 1, 2024, to adopt proxy voting procedures that ensure that the board's voting decisions align with, and are supportive of, the statewide GHG emission reduction goals, **and support for Section 3** that requires PERA to include as part of its annual investment stewardship report a description of their climate-related investment risks, impacts, and strategies.

### **CRES is in strong support of these two Sections.**

According to the official release of a [new report by Corporate Knights](#), they find that PERA is valued at \$2.7 billion less than it would have been had it divested from fossil fuels a decade ago. This represents an opportunity cost of over \$4,100 per PERA member. This new study also predicts that, if PERA continues to invest in fossil fuels for the next decade, they could lose an additional \$6.4 billion. A [similar study conducted in 2019](#) found that PERA had lost \$1.7 billion by not divesting from fossil fuels – this new study demonstrates that losses have jumped by a whole \$1 billion, just in the last three years.

A number of studies over the past 5 years have demonstrated that ESG-focused investments outperform the broader market. PERA has an obligation is directed to discontinue making mistakes of investing in underperforming and ethically challenged carbon-intensive stocks. We prove a sample of studies that reinforce the need for greater public interest scrutiny over PERA investments:

Why most ESG-focused investments outperform the broader market

Globe and Mail - October 11, 2022

<https://www.theglobeandmail.com/investing/article-why-most-esg-focused-investments-outperform-the-broader-market/#:~:text=There%20is%20no%20uniformity%20around,du%20to%20their%20lower%20risk.>

Global Renewables Investment Return 7 times higher than fossil fuels

Forbes - March 19, 2021

<https://www.forbes.com/sites/feliciajackson/2021/03/19/global-renewables-investment-return-7-times-higher-than-fossil-fuels/?sh=26dc15ad23c0>

Clean Energy Investing: Global Comparison of Investment Returns  
IEA and Centre for Climate Finance and Investment

March 2021 [https://iea.blob.core.windows.net/assets/ef1d6b50-66a6-478c-990e-ee227e2dd89b/Clean\\_Energy\\_Investing\\_-\\_Global\\_Comparison\\_of\\_Investment\\_Returns.pdf](https://iea.blob.core.windows.net/assets/ef1d6b50-66a6-478c-990e-ee227e2dd89b/Clean_Energy_Investing_-_Global_Comparison_of_Investment_Returns.pdf)

Fossil free funds outperformed conventional ones, analysis shows

The Guardian April 10 2015

<https://www.theguardian.com/environment/2015/apr/10/fossil-fuel-free-funds-out-performed-conventional-ones-analysis-shows>

Green Coalition: Pension plans miss billions by not divesting from fossil fuels  
Asset Allocation Nov 5, 2019

<https://www.ai-cio.com/news/green-coalition-pension-plans-miss-billions-not-divesting-fossil-fuels/>

### **Section 7- CRES offers limited support of Section 7, with reservations which may rise to offering amendments, or expressing opposition in the days ahead.**

Our first reservation is whether the pursuit of State supremacy of Class VI underground injection control (UIC) passes a **cost/benefit test**. We are concerned that the effort to have the COGCC take over injection of GHG from the EPA may run the risk to distract the agency from a large amount of work to address the problems of managing both existing and abandoned oil and gas wells. Until COGCC has made major headway in accomplishing their current tasks, we question whether it is advisable for the agency to be tasked with administering a new, potentially distracting, and speculative program.

In support of our concern, we remind policy-makers that the COGCC staff estimates that “in order to complete the primacy process and facilitate building the Class VI regulatory program at the COGCC, **2 FTE** is required.” In addition, COGCC states that “leading up to and after obtaining primacy, additional staff will be required to effectively implement

the Class VI program, COGCC will require **at least 5 additional FTE** to address all program needs.”

Our second reservation goes to the question of whether the rationale for Section 7 - **to protect against the possibility of a future federal administration weakening current EPA rules** – is sufficient reason to seek State primacy. Although the current EPA rules may not be perfect in every respect, it is speculative whether (1) a future federal administration would weaken existing rules, and (2) whether future State rules (which must be as stringent as EPA rules) would provide a substantial improvement in safeguarding public health and safety.

Our third reservation is the concern that policy-makers may not have yet gained a sufficient understanding of the full **safety and public health risks** that accompany the capture, transport, injection, and adequacy to store dangerous gaseous carbon dioxide. Legitimate concerns are emerging about CCUS, including the potential for increased seismicity, asphyxiation, and leakage. We suggest that policy-makers may want to consider these matters before taking the step towards seeking State supremacy over underground injection of GHG.

Our fourth reservation is a concern about moving in a direction that may have the intentional or unintentional appearance that **Colorado is inviting a costly, wasteful, unproven, and de minimis carbon capture and storage industry in to the state**. Although there may be companies exploring the opportunity to inject GHG in Colorado, we question whether the State should accelerate that interest.

Thank you for your consideration of these concerns. We welcome a robust discussion of these reservations as you deliberate on the merits of Section 7.

CRES thanks you for your legislative support, such as SB23-016, that helps Colorado take real and meaningful measures to address the climate emergency.

Sincerely,

Vincent P. Calvano  
CRES Policy Committee  
Colorado Renewable Energy Society



## INDIVISIBLE COLORADO

February 20, 2023

Esteemed Members of the Senate Finance Committee,

**Indivisible Colorado urges you to support bill SB23-016 with an amendment to remove Section 7.**

In SB16 we are encouraged by the modifications to PERA's proxy voting to ensure that PERA's shareholder votes align with Colorado's greenhouse gas emission reduction goals. Also critical is the requirement that PERA disclose climate related investments. This is urgently needed in light of the vast amounts of money PERA has already lost (2.7 billion over 10 years) because it has yet to – at this late hour– divest from fossil fuels. This is not only the right thing to do for those who depend on PERA's solvency for their retirement, as many do in our membership, but for all Coloradans.

Strengthening our greenhouse gas reduction targets is essential, particularly as Colorado appears to be falling short of its first target. All efforts to stay on the decarbonization schedule are needed. This bill takes several steps in the right direction, and we urge the committee to preserve the section which strengthens Colorado's greenhouse gas reduction targets to 100% instead of 90% by 2050.

However, Section 7 of this bill gives the Colorado Oil and Gas Conservation Commission (COGCC) authority over dry or abandoned wells that would be used by the oil and gas industry for greenhouse gas sequestration. We would urge you to amend this bill to remove this greenhouse gas sequestration provision, as we're very concerned that this technology is so far unproven, and may in fact be used for greenwashing by the oil and gas industry.

Thank you for your service.

Sincerely,

Elizabeta Stacishin, Climate Liaison  
Indivisible Colorado

Hello,

My name is Leslie Ford and I am a PERA member and a constituent of Senator Kolker's. I am calling to voice my support for Senate Bill 16, which will be heard in the Senate Finance committee on Tuesday, February 21st. Specifically, I want to voice my strong support for Section 2 of the bill, which would require the PERA board to adopt proxy voting procedures that ensure that PERA's shareholder votes align with and support statewide greenhouse gas emission reduction goals.

Every year during Proxy Season, investors vote on a variety of company resolutions, many of which are introduced by shareholders. In recent years, there has been an increase in the number of ESG resolutions that are introduced, with a focus on climate impacts. However, the majority of PERA's votes on these resolutions have not aligned with a fossil-free future, and PERA has too often voted against resolutions to reduce carbon emissions in line with the Paris Climate Agreement.

PERA should not be actively working against the state's greenhouse gas reduction policy, especially because PERA receives state funding. As a PERA member and a constituent of Senator Kolker's, I request that you ensure Senate Bill 16 passes through the Senate Finance Committee, with Section 2 intact.

One of the reasons I feel very strongly about this issue is that I am an elementary school teacher of students with social/emotional disabilities, and they have been learning about the five components of environmental literacy: Awareness, Knowledge, Attitudes, Skills, and Action. As my students progress through this curriculum, they are acquiring an awareness of what is needed to protect and improve the environment, and they are understanding the urgency. As you can see, I want the importance of what I am teaching my students to align with PERA's shareholder votes by supporting statewide greenhouse gas emission reduction goals, and voicing my support specifically for Senate Bill 16.

Thank you,

Leslie Ford



Opposition to Section 2 of SB 23-016PATRICK/LUCIA HORTON to Katie.Ruedebusch  
02/15/2023 03:36 PM

Members of the Senate Finance Committee, I am writing to express my opposition to Section 2 of SB 23-016, which would require PERA to limit its investment decisions to those that are supportive of the State's green-house gas emission reduction goals. PERA's primary goal is the funding of retirement benefits for people like me, who have worked for the State for many years and who are now retired. Decisions on how to fund these benefits should not be limited by political agendas that have nothing to do with maximizing investment opportunities. It is also my understanding that this provision would add significant costs to PERA. As a voting Democrat and retired state employee, I strongly encourage the committee to vote to eliminate Section 2 of this bill. Thank you.

Patrick Horton  
1787 Locust St, Denver, CO 80220  
303-918-2213

My name is Carol Angel.

I am a third-generation Coloradan and I was proud to represent the state for over twenty years at the Colorado Attorney General's Office.

Eighteen other people from around the metro area have joined me in submitting this testimony. We are all deeply concerned about the effects of the climate emergency and we want to see continuing strong action from our legislature to protect our beautiful state – and the planet.

The climate crisis has already hit us with more devastating wildfires and with interstate water shortages. We support the greenhouse gas reduction goals the state has adopted in response. Please vote for SB 16 to help us reach those goals.

The systemic changes in this bill are key. Colorado PERA and insurance companies **MUST** be more responsive to the economic changes brought on by the climate crisis.

First, we don't want to end up like California and Florida, where insurance rates have soared and some companies have simply left those states. We all need to know about the underwriting and investments of Colorado insurance companies so that the legislature can avoid a similar problem here.

Second, eight of us signing onto this testimony are PERA members. All of us support the PERA provisions in this bill. We want PERA to continue to be a reliable source of benefits and we want lawmakers to take strong action on the climate crisis. These two things are not in conflict.

PERA manages billions of dollars in investments contributed by state employees and by the legislature.

The bill would require the PERA board to adopt proxy voting procedures so that its shareholder votes support statewide greenhouse gas goals. We believe that a manager of state money should be using its shareholder voting rights to support our state-wide climate goals.

The bill also addresses a huge gap in PERA's investment planning – fossil fuels. Investment in fossil fuels is a losing proposition. A livable planet in the future depends on moving quickly to clean energy sources. As reported in Forbes magazine, over a thousand major investors, pension plans, and endowments have disinvested in fossil fuels to the tune of 14 trillion dollars.

This bill requires PERA to study and plan for the same climate-related investment issues that have caused other investors to move away from fossil fuels. PERA members need to know that PERA is addressing this risk. Please keep the PERA provisions intact, and vote for SB 16 in its entirety. Thank you for your time.

Signatories

PERA members in bold

**Carol Angel, Denver**

**Jannette Cotrino McLaughlin, Highlands Ranch**

**Kathy Kilmer, Denver**

**Peter Van Arsdale, Centennial**

**Stephen Brown, Denver**

**Mary Beth Downing, Boulder**

**Suzanne Burdick, Portland ME**

**Jane Feldman, Denver**

Jennifer Burch, Centennial

Mary Pritchard, Denver

Art Pritchard, Denver

Faith Wade Alderfer, Littleton

Gail Wells, Littleton

Anne Hesse, Littleton

Charulata Ketkar West, Denver

Allan Yamamoto, Highlands Ranch

Yue Yamamoto, Highlands Ranch

Margaret Ellen Brown, Denver

Sherri Pennington, Parker



Message for Senate Finance Committee Members re SB 23-016 Rona Wilensky to  
Katie.Ruedebusch 02/18/2023 07:40 AM  
History: This message has been replied to.

Dear Ms Ruedebusch, Please share this email with all members of the Senate Finance Committee before Tuesday's hearing on SB 23-016

I am a PERA retiree and a grandmother worried about my granddaughter's future and the health of all citizens of Colorado young and old.

I am reaching out to voice my support for SB23-016, which will be heard in the Senate Finance committee on Tuesday, February 21st. Specifically, I want to voice my strong support for Sections 2 and 3 of the bill. Section 2 would require the PERA board to adopt proxy voting procedures that ensure that PERA's shareholder votes align with and support statewide greenhouse gas emission reduction goals, and Section 3 would require PERA to publish a climate risk assessment for their investments. I urge the Senate Finance Committee to maintain these sections of the bill.

Section 2 of SB23-016 is crucial for ensuring that PERA's proxy votes align with statewide greenhouse gas emission reduction goals. Every year during Proxy Season, investors vote on a variety of company resolutions, many of which are introduced by shareholders. In recent years, there has been an increase in the number of Environmental, Social, and Governance (ESG) resolutions that are introduced, with a focus on climate impacts. However, the majority of PERA's votes on these resolutions have not aligned with a fossil-free future, and PERA has too often voted against resolutions to reduce carbon emissions. PERA should not be actively working against the state's greenhouse gas reduction policy, especially because PERA receives state funding.

PERA argues that their sole objective is to provide members with a retirement benefit, and claims that SB23-016 would add significant costs to PERA. However, their claim does not hold up under scrutiny. In fact, research increasingly shows that fossil fuel investments have been among PERA's worst investments over the last 10 years, and these investments are actually losing PERA members money. A new Corporate Knights Study shows that PERA would have \$2.7 billion more (equaling over \$4,100 per PERA member), had they stopped investing in fossil fuels ten years ago (you can read the full report at <https://tinyurl.com/PERA2023CK>).

Please reply to this email to let me know that I can count on you to protect the PERA portion of SB23-016.

Thank you for your consideration,

--

**Rona Wilensky**  
**303-929-2387**



SB23-016-Please Keep PERA and GHG Provisions--Be Cautious on CO2 Injection  
(Section 7)Leslie Glustrom to Leslie Glustrom 02/21/2023 08:00 AM

Cc kyle.mullica.senate, chris.kolker.senate, faith.winter.senate, kevin.priola.senate,  
cleave.simpson.senate, SenatorSmallwood, kevin.vanwinkle.senate, chris.hansen.senate,  
katie.ruedebusch

History:This message has been replied to.

Dear Members of the Senate Finance Committee,

Due to a family conflict, I will be unable to testify on Tuesday February 23, 2023 on SB23-016 but **I want to encourage you to support the PERA and provisions of the bill while exercising caution on Section 7 and the (risky process) of transporting and injecting gaseous or supercritical CO2 beneath our state.**

### **I. YES ON PERA PROVISIONS PLEASE**

My husband is a PERA member and we are **strongly in support of the PERA provisions of SB23-016 for both moral and financial reasons!!**

As parents and grandparents we care deeply about how livable the planet will be for our children and grandchildren and the moral thing to do is to ensure that the money we have with PERA be used to align with Colorado's climate goals and with all of our desires to leave a planet that will allow our children and grandchildren (and on down) to pursue their dreams without being undermined by the ever-worsening climate crisis!

Moreover, we have seen time and time again that PERA's insistence in investing in and supporting the fossil fuel industry is **costing retirees like us money--and a significant amount of it!!** See [here](#) and [here](#).

We find it both incomprehensible and immoral that PERA appears to be refusing to recognize the moral imperative of addressing the climate crisis AND the fact that their intransigence on fossil fuel investments is losing all of its members money--and no small amount of it!

### **II. PLEASE KEEP THE PERA PROVISIONS IN SB23-016!!**

For the reasons expressed above, please keep (and strengthen if possible), the Greenhouse Gas (GHG) reduction targets of SB23-016. When there is a crisis, the pace matters. Colorado can and should move faster to reduce our carbon emissions and building a 21st century energy system that will reflect the severity of the climate crisis!! Thank you!!

### **III. PLEASE EXERCISE CAUTION ON SECTION 7 AND ENCOURAGING THE INJECTION OF GASEOUS OR SUPERCRITICAL CO2 BENEATH COLORADO**

1) **Risk:** Obviously it is good to get CO2 out of the atmosphere, but underground injection of CO2 and the associated pipelines is more than a little risky due to the nature of CO2 as an asphyxiant--and of course pipelines break and wells leak--as well as the induced seismicity risk of underground

**THANK YOU FOR YOUR SUPPORT OF SB23-016 AND RETAINING THE PERA AND  
GHG PROVISIONS  
WHILE EXERCISING CAUTION IN ANY EFFORT TO SUPPORT THE INJECTION OF  
GASEOUS OR SUPERCRITICAL CO2 BENEATH OUR STATE!**

Thank you for your service to our state!!

Leslie Glustrom  
720-341-3154-cell  
Clean Energy Action, Boulder, Colorado  
**Accelerating the Transition to the Post Fossil Fuel World**  
<http://cleanenergyaction.org/>

Clean Energy  
Action

*I acknowledge that I live, work and play on the ancestral homelands and unceded territory of Indigenous Peoples who have traversed, lived in and stewarded lands in the Boulder Valley for over 10,000 years. Those Indigenous Nations include dozens of tribes including the: Di De'i (Apache), Hinono'eiteen (Arapaho), Tsistsistas (Cheyenne), Numunuu (Comanche), Kiowa, Čariks i Čariks (Pawnee), Sosonih (Shoshone), Oc'eti S'akowin (Sioux) and Núuchiu (Ute).*

Dear Colorado Legislators,

I support SB23-16, which is integral to reducing greenhouse gases in Colorado and laying the groundwork for future emission reductions.

Please approve bill SB23-16, including the PERA sections. My mom is a teacher whose retirement fund is through PERA. She is the kindest person that I know and always puts herself before others. Her work as a teacher has been challenging, to say the least, as she works with severely mentally and physically disabled students in low-income neighborhoods. She worked incredibly hard while I was a child to go back to school and become a teacher. I know that she would not be happy with her retirement savings funding the devastation of this planet and the environmental injustice that accompanies it. A new Corporate Knight's report demonstrates that PERA lost \$2.7 billion by not divesting from fossil fuels a decade ago. My mother, who has consistently put the needs of others before herself, deserves a retirement association that is looking out for her best interest, not the interest of the oil and gas companies. A 2022 report found that PERA has over \$2 billion invested in 650 companies with ties to oil, gas, and coal. While I know this bill is not a divestment bill, it is a step in the right direction. The PERA board needs to adopt proxy voting procedures that support statewide greenhouse gas reduction goals. PERA needs to consider the climate-related investment risks, impacts, and strategies, as other investment firms have done, to protect our public employees.

Furthermore, Colorado needs this bill because it strengthens the greenhouse gas reduction targets to 100% by 2050 instead of 90% and adds interim goals. In order to keep global warming to less than 1.5 degrees Celsius and avoid the worst impacts of climate change, we need strong goals like these to keep us on track. This bill would also do other great things to help combat climate change, such as incentivizing electric-powered lawn equipment, requiring insurance companies to complete an Insurer Climate Risk Disclosure Survey, and facilitating projects to update existing utility transmission lines. I support SB23-16 but am concerned about section 7 of this bill, which gives COGCC authority over dry and abandoned wells that would be used by the oil and gas industry for greenhouse gas sequestration. I would prefer that this bill be amended to remove section 7 because this is untested and potentially unsafe and ineffective. This also could be used by the oil and gas industry to greenwash, as they have done many times before.

As a Coloradan, I greatly appreciate the efforts in SB23-16 to mitigate the impacts of climate change and help us move toward a greener future. Over my lifetime, I have seen the wildfire season extend, temperatures rise, and erratic weather in my home state. Climate change is here, and we need to act now. SB23-16 is a positive step in the right direction. Please include the PERA sections of this bill and consider amending section 7, but above all, please approve bill SB23-16.

Sincerely,

Shelby Behr



Urging your support for SB 23-016 - "Greenhouse Gas Emission Reduction Measures" Micah Parkin to kyle.mullica.senate@coleg.gov, chris.kolker.senate@coleg.gov, kevin.priola.senate@coleg.gov, cleave.simpson.senate@coleg.gov, SenatorSmallwood@gmail.com, kevin.vanwinkle.senate@coleg.gov, faith.winter.senate@coleg.gov, Katie.Ruedebusch  
02/14/2023 01:20 AM

Dear Senators Mullica, Kolker, Priola, Simpson, Smallwood, Van Winkle, and Winter,

I am writing on behalf of 350 Colorado, a nonprofit with 20,000+ members statewide working to solve the climate crisis and transition to a sustainable future. We thank you for your service.

We urge your support for SB 23-016 - "Greenhouse Gas Emission Reduction Measures, Concerning measures to promote reductions in greenhouse gas emissions in Colorado". We especially urge you to ensure retention of 1) sections 2-3, so PERA will adopt voting procedures to align with GHG emission reduction goals and report on climate risks, and 2) section 6, to increase the 2050 GHG emission reduction goal to 100%, which would align with the IPCC's 50% chance of keeping global temperature rise below 1.5C.

We would like to see section 7 removed from the bill, as the capture of gaseous carbon dioxide and underground sequestration (CCS) has not been proven either safe or effective. Tragedies have occurred in the past when CO2 has leaked leading to asphyxiation, and CO2 leaks underground can acidify groundwater. Also, we are dissatisfied with the effectiveness of the COGCC in achieving their mission post-SB19-181 of regulating oil and gas to protect public health, safety, the environment and wildlife, as they have continued to allow ~1,000 oil and gas wells to be permitted each year despite severe ozone nonattainment and community opposition. We are therefore not convinced that they would do a better job of overseeing CCS than the EPA.

Thank you again for your service for our state and nation.

With appreciation,  
Micah Parkin  
Executive Director  
350 Colorado

--

**P.S. Worried about the climate crisis? Action is the antidote to despair! Support climate action by becoming a 350CO monthly donor! Thank you!!!**

Micah Parkin  
350 Colorado, Executive Director  
she/her  
504-258-1247  
[350 Colorado on Facebook](#)  
[www.350Colorado.org](http://www.350Colorado.org)

Ronald L. Lehr  
Attorney  
4950 Sanford Circle West  
Englewood, Colorado 80113-5127  
303 504-0940 Telephone  
[rllehr@msn.com](mailto:rllehr@msn.com) Email

Re: Amendment to SB23-016 Section 11, 40-41-102

Senate Finance Committee  
Testimony of Ronald L. Lehr

There are two good reasons to support amending the state's utility securitization law to allow the Public Utilities Commission to require investor-owned utilities to file applications for securitization financing orders:

1. **In the future, climate damages are likely to challenge utility infrastructure** in both ways we can anticipate and in new ways that we cannot. To recover from damages from extreme weather, wildfires, floods, avalanches, debris flows, wind storms and other natural disasters, utilities under PUC regulation can use low cost bond financing to both reduce and spread out financial impacts of recovering from damage and rebuilding infrastructure. **The amendment helps prepare the PUC** to carry its part of the load for climate damages in the future.
2. **Securitization refinancing of existing infrastructure will save consumers money on their utility bills.**

For example, Xcel Energy is retiring the remaining coal plants on its system over the next seven years. They need to pay off the investments they are carrying in these plants in the most cost-effective way possible, to reduce consumers' cost burdens while they make their transition to cleaner, cheaper energy from non-fossil generation resources. To pay off these remaining investments, the company has insisted on earning their full authorized return on equity, rather than using low cost, AAA rated securitized bonds, which are available to them at their option under law, thereby charging customers more than is necessary.

Securitization has been an option available to Xcel since 2019, but they have not responded by filing a financing order with the commission, instead preferring to earn their full equity returns at consumers' expense. Xcel has delayed using securitization for four years, adding to consumers' costs. Their most recent analysis misallocated consumers' paid in tax money ("Accumulated Deferred Income Tax or ADIT") to the tune of about \$258 million.<sup>1</sup>

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<sup>1</sup> Answer testimony of Chris Walters for Colorado Energy Consumers filed in Docket No. 22A-0515E on January 31, 2023. PSCo cross answer testimony is to be filed February 28, 2023.

One independent estimate<sup>2</sup> filed at the PUC suggested that bonds could save consumers about \$130 million over their lifetime, but savings will depend on timing, interest rates, and issuance costs. All competent analyses suggest that consumers savings from use of securitized bonds will be very substantial.

Consumers are in dire need of any options that can reduce their bills, including use of securitized bonds to pay off old coal plant debt. Giving the commission authority to require utilities to file to use bonds rebalances the equation between shareholders and consumers in consumers' favor.

Thanks for your attention to this testimony and your support for the amendment.

Ronald L. Lehr, Attorney

Former Chairman, Colorado Public Utilities Commission  
Former President, Denver Board of Water Commissioners  
PSCo shareholder

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<sup>2</sup> Answer testimony of David Posner for Conservation Coalition filed in Docket No. 21A-0141E, filed October 11, 2021, Hearing Exhibit 1405.

February 21, 2023

Senate Finance Committee  
Colorado General Assembly  
200 East Colfax Avenue  
Denver, CO 80203

## **Re: Support SB23-016 Greenhouse Gas Reduction Measures as Amended by the Senate Transportation and Energy Committee**

Chairman Mullica, Vice Chair Kolker, and Members of the Committee:

Western Resource Advocates (WRA) works to protect the West's land, air, and water. We support policies that help to drive down greenhouse gas emissions, that improve our air quality, that protect the health of our river systems, wildlife, and drinking water, and that support our communities, and industries like agriculture, and the outdoor economy, which our state relies on. For more than 30 years WRA has worked alongside non-profit allies in partnership with Colorado state legislators, regulators, agencies, and the Governor's office to help craft smart policy solutions to address climate change. We are grateful to Senator Hansen for bringing this bill forward.

Addressing climate change is critical for our state's economic success. While Colorado has made important progress on climate change in recent years, we still have a long way to go to reach our greenhouse gas reduction goals set by the General Assembly in 2019.

WRA supports SB23-016 because it:

- Establishes new milestone interim targets for greenhouse gas emissions reduction, which will help the state stay on track toward its ambitious targets, and that align with our state's GHG emission reduction goals and establishes a 100% reduction target by 2050;
- Creates a point-of-sale tax rebate program for electric-powered lawn, leaf and snow equipment purchased between 2024 and 2026; and
- Directs the Colorado Energy Transmission Authority (CETA) to examine transmission resources to maximize the potential of existing transmission and address the need for increased capacity;
- Empowers the CETA with the ability to evaluate and implement transmission infrastructure upgrades with the goal of making the most efficient use of existing facilities. This bill would also encourage efficient and environmentally sustainable means of using existing right of way; and
- Enhances the ability for new renewable energy and storage facilities to be added to the electric grid in a reliable manner.

Senate Bill 23-016 is an important next step in our state's efforts to address the effects and causes of climate change and to continue our progress towards a sustainable and decarbonized economy.

We thank Senate Finance Committee members for your consideration and we urge you to vote "yes" on SB23-016.

Sincerely,

Gwen Farnsworth

**Deputy Director of State Advocacy**

Western Resource Advocates

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Western Resource Advocates provides on the ground solutions to climate change. WRA works with policymakers and other advocates to advance clean energy; protect air, land, water, and wildlife; and sustain the lives and livelihoods of the West. For more information, visit [WesternResourceAdvocates.org](https://WesternResourceAdvocates.org) and follow us on Twitter [@wradv](https://twitter.com/wradv).