

Clean Energy & Sustainability

NEWSLETTER



June 2022

Contact a DGS attorney in the [Clean Energy & Sustainability Group](#) if you have any questions about the contents of this newsletter or if we can assist you with any legal needs.

Upcoming Clean Energy Events:
[FNREL](#)
[68th Annual Natural Resources and Energy Law Institute](#)
July 21-23 |
Vail, Colorado

Colorado's Energy-Related Bills in the 2022 Legislative Session

by [John Jacus](#) and [Kathleen Pritchard](#)

The Colorado General Assembly wrapped up its 2022 legislative session on May 11, 2022. In our [February newsletter](#), we provided an overview of energy-related bills as of February 8, 2022. At that time, only a handful of energy-related bills had been proposed. But by the end of the session, the legislature considered almost 20 bills related to energy, environmental protection, and air quality. This update highlights some of the final bills that were passed and some that were not. [Read more...](#)

Colorado's First Clean Energy Plan- Status Report

by [Judy Matlock](#)

As this newsletter goes to print, the Colorado Public Utilities Commission will have just concluded a further evidentiary hearing in the matter of the Application of Public Service Company of Colorado for approval of its 2021 electric resource plan and clean energy plan in proceeding No. 21A-0141E. The Application was filed on March 31, 2021, and is Colorado's first clean energy plan proceeding under Senate Bill 19-236. The Senate Bill required Public Service to include in its next electric resource plan (i.e., its 2021 plan) a clean energy plan to reduce its carbon dioxide emissions associated with electricity sales by 80% (from 2005 levels) by 2030 and to seek to achieve providing

customers with energy generated from 100% clean energy resources by 2050. [Read more...](#)

Army Corps Reissues and Revises Nationwide Permits under CWA Section 404 Program and NWP 12 Again Under Attack

by [Zach Miller](#) and [Michael Golz](#)

On December 27, 2021, the U.S. Army Corps of Engineers (“Corps”) issued a [final rule](#) regarding its Nationwide Permits (“NWP”) for dredge and fill activities (“December 2021 Rule”). See 86 Fed. Reg. 73522 (Dec. 27, 2021). The December 2021 Rule reissued 40 NWPs and issued one new NWP. The Rule also retained consequential changes made to 16 other NWPs in January 2021 and incorporated some of those changes into the newly reissued permits. Most significantly, the December 2021 Rule retained and extended to all NWPs a stringent new mitigation condition adopted in January 2021. The new and revised NWPs took effect on February 25, 2022. [Read more...](#)