



TO:           **Senate Bill Sponsors:** Senators Marc Snyder and Cleave Simpson  
**House Bill Sponsors:** Representatives Jarvis Caldwell and Amy Paschal  
**Members of the Senate Transportation and Energy Committee**  
Chair Senator Lisa Cutter  
Vice Chair Senator Matt Ball  
Senator Mark Baisley  
Senator Marc Catlin  
Senator Tony Exum  
Senator William Lindstedt  
Senator Kyle Mullica  
Senator Byron Pelton  
Senator Tom Sullivan

FROM:       The Colorado Renewable Energy Society (CRES)  
DATE:       April 29, 2026  
RE:       SB26-182 – “Updated Clean Energy Plan Municipally Owned Utility”

The Colorado Renewable Energy Society (CRES) urges you to **oppose SB26-182, Updated Clean Energy Plan Municipally Owned Utility,** when it is heard in your committee.

CRES appreciates that a compromise was intended to be worked out relative to SB26-022, which CRES also opposed, however, for many of the same reasons we opposed SB26-022, we oppose this bill as well. (see our letter opposing SB26-022 copied to the end of this letter)

The main reasons we oppose this bill, and you should vote no, are that much of the Front Range of Colorado is already in non attainment for Ozone and other air pollution, and this bill would allow Muni’s to shirk their responsibility to provide their constituents the clean energy requirements the Colorado legislature already approved, and that these utilities have had years to prepare for.

The severity of the climate crisis we all are in does not afford us or our utilities to backslide on their clean energy goals, and this bill would allow these utilities to do so.

Finally, it does not make financial sense to allow utilities to continue to burn fossil fuels, which are more expensive than renewable energy sources such as wind and solar.

For all of these reasons, and for the reasons outlined in more detail in our letter opposing SB26-022, we urge you to all vote no to SB26-182.

Thank you for your consideration and service.

Sincerely,

Vincent P. Calvano  
CRES Policy Committee  
Colorado Renewable Energy Society

*The Colorado Renewable Energy Society drives environmental, social, and economic benefits for Colorado by promoting renewable energy and energy efficiency. CRES and its local chapters provide education, policy advocacy, and community engagement that accelerate the adoption of all forms of renewable energy, energy efficiency, high-performance building, energy storage, and emerging technologies that will help Colorado achieve 100% renewable energy. CRES is a statewide, non-partisan, non-profit, 501(c)3 membership organization.*

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(CRES Letter Opposing SB26-022)



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Senator Byron Pelton  
Senator Tom Sullivan

FROM: The Colorado Renewable Energy Society (CRES)  
DATE: March 3, 2026

RE: SB26-022 – “Challenges Meeting 2030 Emissions Reduction Goals”

Colorado Renewable Energy Society (CRES) urges you to **oppose SB26-022**, "Challenges Meeting 2030 Emissions Reductions Goals," when it is heard in your committee.

- This bill would reward poor **planning** and inaction while setting up Colorado Springs for another debacle that would parallel the Martin Drake coal plant’s fate.
- This bill would raise **costs** and customer energy bills, as maintaining coal plants is more expensive than deploying new renewables and storage.
- This bill would exacerbate **health** issues from local air pollution and climate change.

**On planning:** Colorado Springs has had bad experiences in trying to prolong the life of coal plants. Colorado Springs Utilities (CSU) contracted with Neumann Systems Group to install emissions scrubbing systems at the Martin Drake coal plant in the 2010s. However, the initial cost of \$80 million [ballooned](#) to \$200 million, the technology had a [questionable](#) impact on emissions, and the process led to a [lawsuit](#) over “breach of fiduciary duty” by CSU in signing the contract. Martin Drake also [suffered](#) a fire in 2014 that led to 10 months of shutdown or reduced operations and cost \$20 million, plus another fire in 2019 that again hampered its reliability. These fiascos, paired with [recognition](#) of renewables’ favorable economics and Colorado’s [goal](#) of cutting electric utilities’ greenhouse gas emissions 80% by 2030 relative to 2005 levels, led to the CSU Board [voting](#) in 2020 to move Martin Drake’s shutdown from 2035 to 2023—as well as establishing that it would close its Ray D. Nixon coal plant before 2030.

While CSU did shut down Martin Drake in 2023, it has now brought SB26-022 to the Legislature, which would allow it to keep Ray Nixon open past its agreed-upon closure date. The bill would also allow other co-op and municipal utilities to take advantage of loopholes that would similarly delay their transition to renewable, clean energy. Must we once again keep expensive coal plants running when we have cheaper, cleaner, safer, and more reliable options available such as solar, wind, and battery storage?

All other utilities in Colorado have submitted plans to comply with Colorado [statutes](#) requiring an 80% reduction in climate pollution by 2030. CSU has never submitted a sufficiently detailed plan for moving toward that goal. If CSU needs more time to comply with an 80% reduction and retire Ray Nixon, it should put together a workable plan and then come back to the Legislature with a clear timetable that will allow it to meet that goal, rather than asking for a blank check through SB26-022. Passage of the bill would connote lack of seriousness and commitment to the emissions goals and Colorado law, not only for Colorado Springs but also for communities throughout the state.

**On cost:** Continuing with coal is fiscally irresponsible and one of the most expensive options for meeting the electricity demands of CSU and the region. An [Applied Economics Clinic report](#) from December 2025 looked at multiple scenarios for replacing

the Ray Nixon coal plant through 2049. It found that continued operations with coal is “not the cheapest option under any cost metric” and that a “Full Clean Replacement” scenario that retires Ray Nixon in 2030 and replaces its services with wind, solar, and battery storage would be the lowest-cost option across most cost metrics. The report also states that delaying the plant’s retirement “increases long-term costs, in part because it causes CSU to miss out on federal tax credits for wind and solar replacements.” Separately, a [2023 Energy Innovation study](#) found that new local solar would be more than 50% cheaper than continuing to operate Ray Nixon—with costs staying lower even when including enough battery storage to match the plant’s capacity—and a [2025 study](#) found Ray Nixon’s costs increased 18% from 2021 to 2024, showing it is getting more expensive over time.

The Applied Economics report also found that continuing to burn coal until 2034 and then converting to a small modular nuclear reactor (SMR) is “the most expensive option by far under all cost measures and scenarios.” Nuclear power plant projects have a history of delays and massive cost overruns, with a [recent study](#) finding approximately 90% of nuclear projects have had cost overruns, with costs being more than double the initial estimate on average and projects being delayed by nearly 3 years on average (while solar projects have had lower-than-expected costs and 1-month delays on average). The most recent nuclear power plants in the U.S.—Vogtle 3 and 4 in Georgia—demonstrate this clearly, as they [required](#) an extra 8 years and \$22 billion than expected at the time of their initial approval. Despite the hype, SMRs remain unproven, subject to many of the same underlying challenges (e.g., need for long-term regulatory stability, lack of trained technicians, nuclear waste disposal), and have followed similar trends as conventional large-scale nuclear. For example, an SMR project saw costs increase 75% to \$9.3 billion before the Utah Associated Municipal Power Systems [terminated the contract](#) in 2023.

Colorado already had a bad experience with nuclear technology as evidenced by the St. Vrain debacle, which is still costing ratepayers for the management of radioactive waste from the project that failed in 1989. Nuclear power plants incur so much capital cost that they must run at a very high capacity factor, while the Colorado grid’s high solar and wind penetration model needs rapidly responsive battery storage and a modest amount of gas generation to support the transition to a fully decarbonized system.

**On health:** SB26-022 would undermine state regulation of utilities by the Air Quality Control Commission and Air Pollution Control Division by preempting their authority, and it would contribute to worse health outcomes for Coloradans all along the Front Range.

Coal power plants like CSU’s Ray Nixon are particularly damaging to local air quality and public health outcomes. They emit various air toxics like mercury, which cause neurological issues, as well as carcinogens like benzene and arsenic. They contribute to local ground-level ozone pollution, which leads to respiratory ailments like asthma, cardiovascular issues like heart attacks, and premature deaths more broadly, with this being a major issue in Colorado—the EPA classifies a 9-county Front Range area

(including Adams, Arapahoe, Boulder, Broomfield, Denver, Douglas, Jefferson, and portions of Weld and Larimer counties) that is home to [two-thirds](#) of Colorado's population as a "[severe](#)" non-attainment area for this pollutant. Ray Nixon is located in El Paso County, but this county is adjacent to the non-attainment area (with its pollution contributing to that area's air quality issues), and the American Lung Association has given El Paso County an "F" grade for high ozone days in [assessing](#) its air quality.

Coal combustion also emits more CO2 per unit energy than other fossil fuels, and the resultant climate-warming impacts are expected to take an enormous toll—for example, the [Colorado Fiscal Institute](#) projects costs from 2025 to 2050 on the order of \$36-37 billion in Colorado due to climate change damages and resilience investments. Moving to a decarbonized electricity system in Colorado is essential even as the current EPA baselessly claims that greenhouse gases do not endanger human health. This assertion denies overwhelming evidence that such pollutants contribute to rising temperatures and sea levels, more frequent and intense floods, wildfires, and droughts, and the increased prevalence and spread of vector-borne diseases—all of which have a tremendously harmful effect on human health.

**Summary:** Please vote to **oppose** this bill which would reward CSU for their poor planning, put more upward pressure on energy bills, and penalize the people of Colorado by continuing to endanger their health with ongoing exposure to coal combustion pollution and worsened climate change impacts. We further urge you to vote to oppose this bill even if it was amended to limit its language to CSU rather than including Colorado's other co-op and municipal utilities.

Thank you for your consideration and service.

Sincerely,

Vincent P. Calvano  
CRES Policy Committee  
Colorado Renewable Energy Society

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**Senate Transportation & Energy**

**04/29/2026**

**SB26-182 Updated Clean Energy Plan Municipally Owned Util**

**Typed Text of Testimony Submitted**

<b>Name, Position, Representing</b>	<b>Typed Text of Testimony</b>
Sarah Hautzinger Against Climate Justice ASUUC; Greenfaith SoCO	Don't extend Nixon's retirement to 2032. It's not cost effective, what the voters want, or in line with previous commitments.  The extension of coal plants is directly connected to the AI/data center "demand," which is corporate and not constituency-based. We who have invested in renewables, personally and collectively, are directly undermined by this external commitment.

Re: **SB26-182 Municipal Utility Climate Goal Backsliding** – April 29, 2026

To: Senate Sponsors Mark Snyder Cleave Simpson  
House Sponsors Jarvis Caldwell Amy Paschal  
Senate Transportation & Energy Committee Members:  
Senators Lisa Cutter, Matt Ball, Mark Baisley, Marc Catlin, Tony Exum,  
William Lindstedt, Kyle Mullica, Byron Pelton, Tom Sullivan

Thank you for the good work towards reducing the pollution in our communities and towards meeting emission goals to reduce climate change impacts on our neighbors.

I advocate for the reduction of emissions that are causing our communities to be polluted in the vast Denver/Front Range Severe Ozone Pollution Area, and for the reduction of emissions from burning fossil fuels that cause climate change and contribute to the Severe Ozone Pollution.

**Background on the Severe Ozone Pollution - Denver/Front Range Non-Attainment area:**

- More air pollution affects more people and costs our communities – in 2022 the bad air we breathe went from ‘serious’ to ‘severe’ according to the EPA and the State Air Quality Control Commission (AQCC).
- About 4 million people live and breathe the pollution in the Severe Ozone non-attainment area – about 80% of states population - 9 counties including: Denver, Arapahoe, Jefferson, Adams, Douglas, Boulder, Broomfield, Larimer, Weld.
- This pollution causes breathing problems, asthma, lung damage, cardiac issues, heart attacks, and premature deaths, and represents a terrible cost to our communities.
  - Colorado Fiscal Institute (CFI) in the 2023 Clearing the Air Report estimated additional health related costs and lost workdays in Colorado to **range \$480 million-\$1 billion per year**.
  - CFI in the 2026 Colorado Climate Damages and Adaptation Cost Report estimated historical Colorado costs attributable to excess heat (1999-2024) to be about \$200 million per year and estimated future expected heat related climate attributable death costs to range from **\$730 million to \$830 million per year**.
  - CFI in their 2026 report estimated that future Colorado expected climate related costs to be **roughly \$1.5 billion per year**.

**As a private citizen I urge you to vote against SB26-182:**

1. This bill would raise **costs and customer energy bills**, maintaining coal/fossil fuel burning plants is more expensive than deploying new renewables and storage.
2. This bill would **exacerbate health issues and health costs** from local air pollution and climate change. Our communities deserve clean air and are choking under the avoidable costs of health care.
3. Building and maintaining renewable energy sources will also increase the number of jobs and that is good for the community.

Sincerely,

Ted Wells  
President ClimateUnified.org