

**BOARD RESOLUTION BR23-18**

WHEREAS,

The United States Congress has approved the Infrastructure Investment and Jobs Act of 2021, which has amended section 111(d) of the Public Utilities Regulatory Policies Act (PURPA); and


PURPA, as amended, requires certain nonregulated electric utilities, including CORE Electric Cooperative (CORE), to consider the adoption of certain standards regarding demand response practices and electric vehicle charging (the PURPA standards); and

CORE's Board of Directors has adopted procedures for considering public comment regarding the proposed standards, has received and considered comments, and has held a public hearing regarding adoption of the new PURPA standards;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors that the attached Decision Determining Adoption of PURPA Standards is hereby approved and adopted.

**CERTIFICATE**

I, James Anest, Secretary-Treasurer of CORE Electric Cooperative, do hereby certify that the above is a true and correct copy of Board Resolution BR23-18 duly adopted at a meeting of the Board of Directors of CORE Electric Cooperative held on the 18<sup>th</sup> day of May 2023, at which meeting a quorum was present.



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Secretary-Treasurer



## Decision Determining Adoption of PURPA Standards

May 18, 2023

The Board of Directors of CORE Electric Cooperative hereby finds and determines as follows:

1. The Infrastructure Investment and Jobs Act of 2021 (IIJA) amended certain sections of the Public Utility Regulatory Policies Act of 1979 (PURPA). Specifically, 16 U.S.C. § 2621 was amended by adding two new standards for electric utilities. These new standards are set forth in § 2621 (D) and address demand response practices and electric vehicle charging programs.
2. The IIJA requires that CORE's Board of Directors determine whether CORE will adopt the new PURPA standards following public notice and hearing.
3. On October 20, 2022, the Board of Directors established procedures pursuant to which CORE would receive written comments from staff and interested members, reply comments would be received, and oral comments would be heard at a public hearing. The procedure approved by the Board was published to members and posted on CORE's website.
4. A staff recommendation and written comments received by 3 members were also posted to CORE's website.
5. The stated purposes of the PURPA standards for electric utilities set forth in 16 U.S.C. § 2621 are to encourage conservation of energy supplied by electric utilities, to optimize the efficiency of facilities and resources, and to provide for equitable rates to electric consumers. With those purposes in mind, the Board of Directors has considered the information presented to the Board, as well as pertinent statutes, rules and regulations, and determines as follows:

### Demand Response Practices

6. 16 U.S.C § 2621(d)(20) sets forth a standard that utilities shall promote the use of demand response and demand-flexibility practices during periods of unusually high demand.
7. CORE currently offers retail rate options that promote demand flexibility during typical higher-cost periods and an interruptible rate option for certain member classes. CORE is currently evaluating and planning for the deployment of a Distributed Energy Resource Management System and Demand Response programs targeting various member end uses.
8. The Board of Directors hereby determines that it is in the best interests of the cooperative to adopt the standards set forth in 16 U.S.C. § 2621(d)(20), subject to demonstration that benefits of any individual program or measure outweigh any costs.

### Electric Vehicle Programs

9. 16 U.S.C § 2621(d)(21) sets forth a standard requiring each State consider certain measures to promote greater transportation electrification, including several related to rate design. As CORE is not regulated by the State of Colorado for purposes of rate making of member program development, it is appropriate for CORE to consider implementation of the standard.
10. CORE offers cost-based rates for various member classes that allow for affordable electric vehicle charging and is promoting adoption of electric vehicles through the installation of CORE-owned EV chargers and development of member program offerings.
11. The Board of Directors hereby determines that it is in the best interest of the cooperative to adopt the standards set forth in 16 U.S.C. § 2621(d)(21)(a). It is not appropriate to adopt those portions of the standard which impose constraints on rate development which may not align with the long-term needs of CORE's members or for which non-rate means for improvement or acceleration are more effective.