



COLORADO
Department of
Regulatory Agencies

PERFORMANCE PLAN

Fiscal Year 2017-2018

July 1, 2017-June 30, 2018





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MARGUERITE SALAZAR

Appointed by Governor John Hickenlooper in July 2017, Marguerite Salazar leads the state's regulatory department. Prior to her role as Executive Director, Salazar served as the Colorado Insurance Commissioner for four years, overseeing the regulation of the insurance industry in Colorado, working with the insurance industry to bring an inclusive, open, firm and fair-minded regulatory approach to all lines of insurance under her supervision.

Previously, President Barack Obama appointed Salazar as Regional Director for the U.S. Department of Health and Human Services, Region VIII. As Regional Director she played a vital role in the Department's effort to effectively implement the Affordable Care Act. Prior to this appointment, she served over 20 years as President/CEO of Valley-Wide Health Systems, a large, rural Community Health Center covering 22 counties in Southern Colorado and serving over 40,000 patients through 26 primary health care clinics.

Salazar is a Fellow in the National Hispana Leadership Institute, as well as a Livingston Fellow in the Bonfil Stanton Foundation. She was a trustee for the Temple Hoyne Buell Foundation, and was appointed by Governor Ritter to serve on the Board of Governors for Colorado State University. She served as Chair for the Colorado Humanities and also served on the Board of Trustees for the Nature Conservancy and the National Center for Farmworker Health. She has a Master's degree in Counseling Psychology.

LETTER FROM THE EXECUTIVE DIRECTOR'S OFFICE

I am honored to present the Department of Regulatory Agencies' FY18 Performance Plan. DORA's Performance Plan is the strategic roadmap that outlines the actions our Department will take this fiscal year to meet both our short and long-term goals.

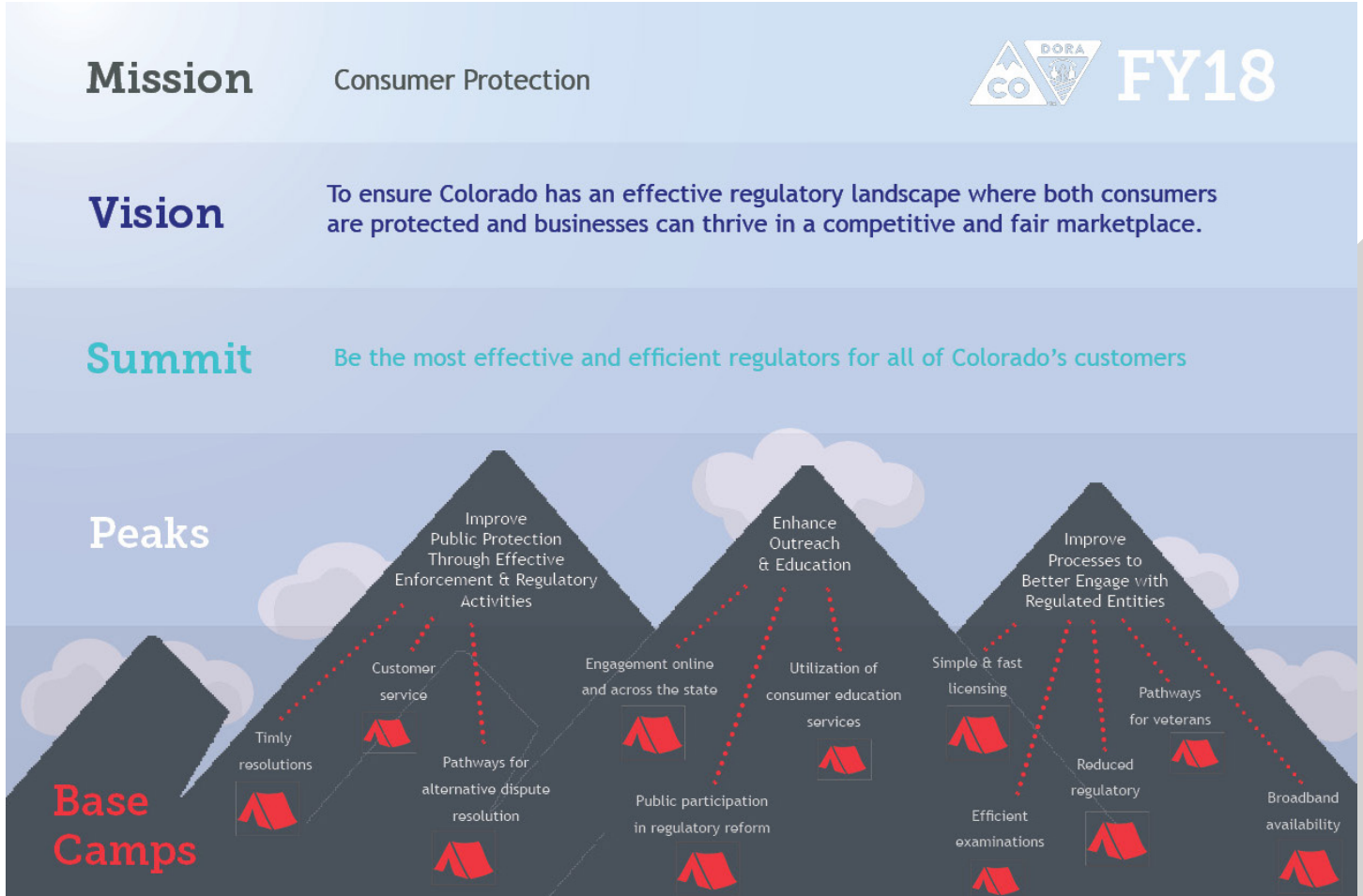
Over the past several years, the Department has worked incredibly hard to strengthen its consumer protection mission while also providing effective and efficient services to the public. With respect to the former, a few examples include the Division of Securities investigating 77 new cases in 2016 (spurring nine criminal indictments and orders for \$33 million in damages and restitution); the Division of Insurance recovering roughly \$8.3 million for Colorado consumers in 2016; and the Division of Civil Rights partnering with the U.S. Equal Employment Opportunity Commission on a successful investigation into sexual harassment that led to an EEOC lawsuit and \$1 million settlement in 2016 (the largest settlement of its kind in Colorado history). The Department has also focused on making it easier for the public to interact with the Department, including launching over 154 business and occupational license/regulatory applications online, significantly reducing occupational licensing times, and launching an online "chat" service for consumers (the only state agency in Colorado to do so!).

Another priority focus has been to make it easier for consumers to file complaints against wrongdoers, including two consumer telephone "hotlines" deployed over the past year to assist Colorado consumers – one for senior citizens victimized by fraud and another for Spanish-speaking consumers – and in December 2016 the Department became one of only roughly 10 in the U.S. to offer online filing of civil rights discrimination complaints. To complement these efforts, the Department has also expanded its consumer outreach and education programs to reach a broader and more diverse population of both consumers and licensees, including the consumer education website "Take 5 to Get Wise" (askDORA.colorado.gov), which recently won the "Silver Davey Award" from the Academy of Interactive and Visual Arts, and the launch of SeniorSafe, an extensive and cross-Divisional educational effort regarding financial exploitation of seniors across Colorado.

All of these accomplishments have been a direct result of the Department's many committed and dedicated public servants and the important work they're engaged in each and every day. As we prepared this year's Performance Plan, we asked our employees to help us create the foundation of how we should pursue achieving the Department's important consumer protection goals, including dozens of representatives from every division and every level of the workforce in a number of strategic workshops. As a result, we believe our Performance Plan will truly enable the Department to reach new heights over the coming year, as we work to ensure Colorado has an effective regulatory landscape where consumers are protected and small businesses can thrive in a competitive and fair marketplace.

EXECUTIVE SUMMARY

DORA's Performance Plan is our annual strategic roadmap. It provides our customers, employees and partners with a guide to towards the future, linking the Governor's vision to our core mission, vision, values, strategies, and goals. Through a commitment to protecting consumers, dedication to process improvement, and open dialog with our stakeholders, DORA aims to be the most effective and efficient regulators for all of Colorado's customers.



WHO WE ARE

History

The Colorado Department of Regulatory Agencies (DORA) was created in 1968, yet several of the Department's divisions have been protecting Colorado citizens since the late 1800s. In 1877, just a year after Colorado became a state, regulation of Colorado banks began. Six years later in 1883, insurance began being regulated through the State Auditor's Office; in 1913, the Colorado Department of Insurance was formed, now called the Division of Insurance. The same year, the Colorado Public Utilities Commission was created. Ten years later, in 1923, regulation of the offer and sale of securities to investors began through the Division of Securities. Soon after, in 1925, the real estate industry began being regulated by what is now known as the Division of Real Estate. In 1930, Colorado began chartering Credit Unions, now regulated by the Division of Financial Services. Colorado became the third state to establish a civil rights agency in 1950, now known as the Colorado Division of Civil Rights. In 1968, the Department of Regulatory Agencies was created and the aforementioned agencies were moved into one umbrella agency. That year also yielded the creation of the Division of Registrations, now called the Division of Professions and Occupations, and several existing boards moved under its purview. One-hundred years after Colorado's statehood, in 1976, Colorado passed the first Sunset Law in the United States, requiring periodic review of various agencies throughout state government, which are now conducted by the Colorado Office of Policy, Research and Regulatory Reform. Finally, in 1984, the Office of Consumer Counsel was created, originally housed within the Office of the Attorney General.

Mission

Consumer Protection is our mission.

Everything we do at DORA centers back to protecting consumers. Our job is to ensure that individuals and businesses who provide you with professional services are doing so ethically and responsibly. Whether it's our boards setting professional standards for licensing, making sure that utilities companies are charging their customers fair rates, or investigating reports of securities fraud, each and every one of our employees contributes daily to ensuring that Coloradans are able to trust those who provide them services.

Vision

To ensure Colorado has an effective regulatory landscape where both consumers are protected and businesses can thrive in a competitive and fair marketplace.

This year, we set out to create a meaningful vision statement that connected our mission to our outlook for the future, that clearly explains DORA's aspirations and demonstrates our focus. With this new vision statement, we look to bind our staff in common purpose and set clear and reliable expectations for our customers and stakeholders. We aim to demonstrate the balance between improving public protection while ensuring that business can operate effectively.

// Most of us spend too much time on what is urgent and not enough time on what is important. **//**

- Stephen Covey, Coauthor of "The Four Disciplines of Execution"

Values

As important as what we do is how we do it. DORA's values are our guiding principles -- our convictions that demonstrate what motivates us, how we make decisions, and how we treat each other. We look to live our values daily and visibly, and recognize that acting in accordance with strong values gives power to the work that we do.



D

Dedication

We are dedicated to serving the people of Colorado. We know that with sensibility, patience, and a positive attitude, we can do great things. We are committed to making our strengths stronger, focusing on the added value we bring to state government.



O

Openness

We know that the best outcomes are built from including diverse perspectives in decision making. We seek and provide honest feedback, learning from mistakes and successes, and building trust by listening.



R

Respect

We treat our team members, customers, and stakeholders with respect and sensitivity to different views and interests. We recognize people for their contributions, and approach every interaction with mindfulness and presence.



A

Accountability

We are committed to personal responsibility, demonstrating credibility and sincerity in our work. The strength of our Department is built upon the trust and confidence we inspire in our community, and we pledge to uphold that trust through our professional conduct.

OPERATIONS

DORA is responsible for 40 boards, commissions and advisory committees, which are charged with administering over 50 regulatory programs governing professions, occupations, and businesses comprised of more than 710,000 individual licensees and approximately 40,000 businesses and institutions. DORA is comprised of 312 voluntary board members and nearly 600 professional staff.

DORA is primarily cash funded by regulated entities through fees and assessments. DORA is unique among state agencies with regard to the volume, complexity and autonomy with which it sets industry fees based on appropriations made by the General Assembly.

Only two areas within the Department involve the state General Fund: the Division of Civil Rights, which is partially funded by the General Fund, and the Division of Insurance, which is supported by a combination of license fees and insurance premium tax revenues.



Program Areas

Licensing/Permitting

Individual and business licensure for more than 50 professions, occupations and business types.

Divisions: Banking, Insurance, Professions and Occupations, Public Utilities Commission, Real Estate, Securities

Enforcement

Resolution of complaints/charges received and proactive enforcement/compliance oriented investigations ensuring adequate consumer protection.

Divisions: Civil Rights, Insurance, Professions and Occupations, Public Utilities Commission, Real Estate, Securities

Institutional Examinations

Examinations of all state-chartered financial institutions and insurance companies.

Divisions: Banking, Financial Services, Insurance, Real Estate, Securities

Consumer Assistance and Contact/Complaint Resolution

Informal complaint resolution, including responses to general consumer inquiries.

Divisions: All

Investigations

Criminal and compliance investigations, both in response to formal complaints, and as part of regular audits.

Divisions: Civil Rights, Insurance, Professions and Occupations, Public Utilities Commission, Real Estate, Securities

Rate Analysis and Approval

Analysis and/or review of requests to change the rates, terms and conditions of service offerings; and other factors in accordance with state regulations to assure rates are not excessive, inadequate or unfairly discriminatory.

Divisions: Banking, Insurance, Professions and Occupations, Public Utilities Commission, Real Estate

Consumer Representation During Utility Rate Approvals

Present evidence in support of consumers when utilities request rate increases.

Divisions: Office of Consumer Counsel

Inspections

Inspections for more than 10 regulatory professions and areas pursuant to statutory requirements.

Divisions: Insurance, Professions and Occupations, Public Utilities Commission

Education, Outreach and Training

Proactive dissemination of information about consumer rights.

Divisions: All



Our Organization

Executive Director's Office (EDO)

Marguerite Salazar, Executive Director

The Executive Director's Office provides leadership and support to DORA's nine divisions. Functions include Accounting and Purchasing, Budgeting, Communications, Legislative Services, Human Resources, and Information Technology Services.

Colorado Office of Policy, Research and Regulatory Reform (COPRRR)

Brian Tobias, Director

The Colorado Office of Policy, Research and Regulatory Reform enhances consumer protection through reviews of regulation and policy throughout state government to ensure that regulation is necessary, effective, consistent, flexible and fair.

Division of Banking (DOB)

Chris Myklebust, Commissioner

The Division of Banking protects the public interest and preserves public trust in the Colorado banking industry by regulating the business of state-chartered commercial banks and trust companies, state licensed money transmitters, and enforcing the Public Deposit Protection Act.

Division of Civil Rights (CCRD)

Aubrey Elenis, Director

The Civil Rights Division works to eliminate discrimination in employment, housing and places of public accommodation under the Colorado Anti-Discrimination Act.

Division of Financial Services (DFS)

Chris Myklebust, Commissioner

The Division of Financial Services works to protect public interest and preserve public trust by regulating the business of state-chartered credit unions, savings and loan associations and the financial activities of life care institutions under its supervision.

Division of Insurance (DOI)

Marguerite Salazar, Commissioner

The Division of Insurance regulates the insurance industry and assists consumers and other stakeholders with insurance issues, to ensure that insurance companies, as well as their agents, to make sure everyone is following the law.

Division of Professions and Occupations (DPO)

Ronne Hines, Director

The Division of Professions and Occupations provides customer protection by licensing over 50 professions, occupations and businesses in Colorado.

Division of Real Estate (DRE)

Marcia Waters, Director

The Division of Real Estate protects real estate consumers by licensing and enforcing laws for real estate brokers, mortgage brokers and appraisers.

Division of Securities (DOS)

Gerald Rome, Commissioner

The Division of Securities protects investors and maintains public confidence in the securities markets while avoiding unreasonable burdens on participants in the capital markets.

Office of Consumer Counsel (OCC)

Cindy Schonhaut, Director

The Office of Consumer Counsel represents the interests of residential, small business and agricultural consumers before the Public Utilities Commission.

Public Utilities Commission (PUC)

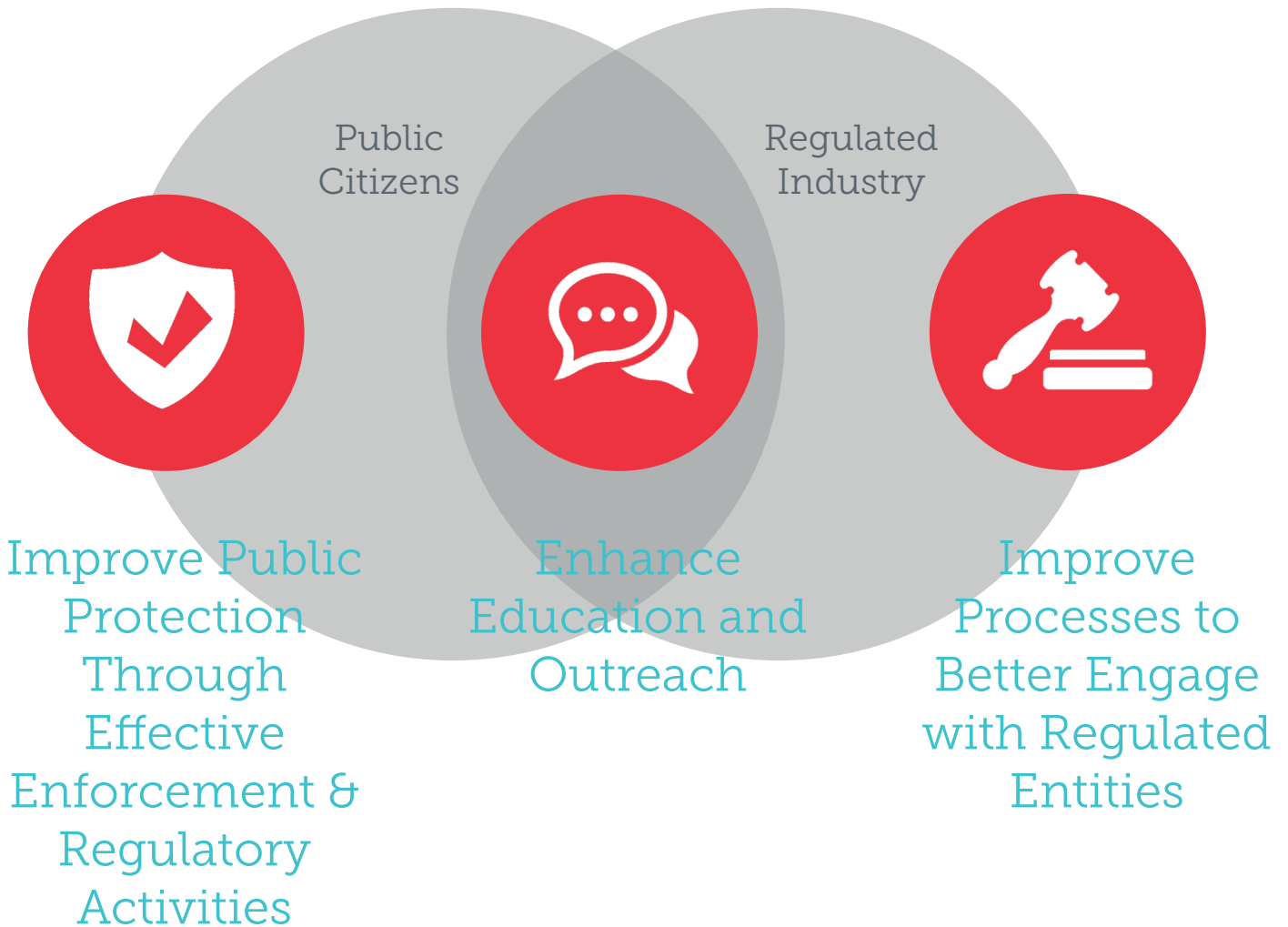
Doug Dean, Director

The Public Utilities Commission serves the public interest by effectively regulating utilities and facilities so that the people of Colorado receive safe, reliable and reasonably-priced services consistent with the economic, environmental and social values of our state.

STRATEGY

In connection with the Governor’s Office of State Planning and Budgeting, each principal Department is charged with identifying major department-wide goals, or “strategic policy initiatives” (SPIs), that drive our organization towards our mission and vision, as well as the high-impact strategies we must employ to achieve our priorities and goals. This focus on performance allows us to determine what is working and what needs improvement, and we believe that planning, monitoring and reviewing data about our service delivery and work objectives yields more effective, efficient and elegant government service to the people of Colorado.

In FY18, we are working toward three major SPIs, which incorporate all the strategic work we’re doing. The image below illustrates the overlapping target audiences for each of our SPIs.





Improving Public Protection Through Effective Enforcement & Regulatory Activities



SPI 1

One of DORA's primary responsibilities is to protect the public from predatory practices, which is done through licensing those who are qualified to provide services in Colorado, taking complaints from individuals regarding standards of practice, investigating service providers that may be acting illegally, performing regular examinations and inspections of the institutions and businesses we regulate, reviewing and analyzing service rates, representing consumers when utilities companies request to increase rates, and educating the public about their rights as consumers.

We are dedicated to ensuring that DORA provides the public with professional, accessible and reliable service. We strive to continually improve our operations, streamline processes and improve interfaces with the public that we serve.

Deliver timely resolution of complaints and investigations

Every division within DORA handles consumer complaints. The complaint process guides our ability to identify and carry out enforcement against individuals or businesses that are out of compliance with Colorado laws and regulations. Providing responses to those consumers who file complaints is not only good customer service; it also ensures that we are able to investigate and provide resolutions when applicable. It's critical to note that there is broad variation in the complexity of investigating complaints across divisions, leading to significant variation in the timelines associated with complaint resolutions.

12% increase in Civil Rights cases resolved within 270 days by June 30, 2018 (CCRD)

85% of insurance complaints and inquiries resolved within 90 days, sustained through June 30, 2020 (DOI)

85% of real estate complaints resolved within 60 days, sustained through June 30, 2020 (DRE)

99% of public utilities complaints and inquiries resolved within 15 days, sustained through June 30, 2020 (PUC)

85% of investigations of real estate professionals applicants with criminal history completed within 60 business days, sustained through June 30, 2020 (DRE)

Ensure that the public has access the resources they need from DORA

DORA seeks to provide Coloradans with the services they need at the time they need them with ease, and recognizes the need to collect and analyze feedback from those we serve, to ensure that we're meeting the needs of the public.

100% of Citizen's Advocate/outreach requests resolved within three days, sustained through June 30, 2020 (EDO)

90% customer satisfaction with DORA's new Welcome Center "Chat" function sustained through June 30, 2020 (EDO)

100% of division implementation of public-facing customer surveys with improvement targets (All)

100% Implementation of a new public-facing online energy calculator that would allow Colorado consumers to monitor and track their home energy usage and adjustments between rate tiers by June 30, 2018 (OCC)

Strengthen the Department's efforts to combat opioid and prescription drug abuse

Overdose deaths from opioid painkillers claim the lives of 300 Coloradans each year. Because the Division of Professions and Occupations regulates seven medical professions, DORA is committed to ensuring that medical professionals are taking the necessary steps to curb drug abuse and diversion.

Significantly increase the utilization of the Prescription Drug Monitoring Program (PDMP), a statewide database of all controlled substances dispensed, which aids in reducing inappropriate prescribing, identifying drug-seeking behavior in patients, and allows providers to intervene when appropriate (DPO)

13.8% of Colorado pharmacies integrated with the PDMP, allowing an increase in pharmacies with access to real-time access to the database (DPO)

Development and launch of a user-friendly website for practitioners by the end of the fiscal year (DPO)

Uphold effective pathways for alternative dispute resolution

Alternative dispute resolution is less formal, less expensive and less time-consuming than a trial, and includes mediation and conciliation. DORA looks to utilize alternative dispute resolution where appropriate to decrease the time to resolve a case, reduce legal expenditures and achieve more expedient resolutions.

90% of real estate cases resolved through Expedited Settlement Program, sustained through June 30, 2020 (DRE)

10% increase in civil rights cases resolved through alternative dispute resolution, with an additional 10% increase by June 30, 2020 (CCRD)

Enhance Education and Outreach



In order to achieve our mission of protecting consumers, it's critical that DORA not only make Coloradans aware of those regulations that protect them, but also to collaborate with local communities to share how those regulations affect them. In addition, DORA understands it's responsibility to foster open dialogue with small businesses and service providers.

Strengthen statewide and online opportunities for Coloradans to interact with DORA

For DORA to best reach Colorado communities, it's critical to engage directly, to better communicate our message and better understand their changing needs.

40% increase in dissemination of consumer alerts or advisories Department-wide by June 30, 2018, then maintain over 55 consumer alerts per year through June 30, 2020 (All)

89% of Divisions to live-stream boards and commissions meetings, sustained through June 30, 2020 (All)

50% increase in Boards and Commissions meetings held outside the Denver metro area by June 30, 2018, then maintain over 15 Boards and Commission meetings held throughout the state per year through June 30, 2020 (All)

100% increase in dissemination of emerging risk bulletins/common practice violation notices to industry by June 30, 2018, then maintain over 25 notices per year through June 30, 2020 (All)

Increase public participation in regulatory reform processes

Throughout the administration of Governor Hickenlooper, the state has substantially modified the rulemaking process to improve the rights of citizens and local governments with respect to transparency and efficiency. With that in mind, DORA is committed to including stakeholders in regulatory reform early and often, and seeking different viewpoints to ensure that the end result takes into account the variety of ways regulation affects our communities.

25% increase in cost-benefit analysis requests, which provides business owners and other interested stakeholders insight into how a newly proposed rule or rule change may impact industry by June 30, 2018, followed by an additional 15% increase by June 30, 2020 (COPRRR)

100% increase in online public comments on sunrise/sunset reports, providing critical input on regulatory programs under review by June 30, 2018, followed by an additional 25% increase by June 30, 2020 (COPRRR)

100% division compliance with early stakeholder engagement policies, which ensure stakeholders are engaged prior to any formal rulemaking processes sustained through June 30, 2020 (EDO)

Increased accessibility of DORA's consumer information

In the last few years, DORA has instituted new programs which allow for more dynamic ways for our customers to interact with us. Now that these programs are operational, we look to strengthen the use of these channels.

25% increase in utilization of the Healthcare Professions Profile Program (HPPP), a database that helps consumers find health-care providers that meet their needs and expectations via the CO Health Professional Check website by June 30, 2018, followed by an additional 10% increase by June 30, 2020

10% increase in public assistance through the SeniorSafe program, which seeks to provide resources to the public to help combat senior financial abuse and exploitation in our community by June 30, 2018, followed by an additional 10% increase by June 30, 2020

Improve Processes to Better Engage with Regulated Entities



Though our primary responsibility is to protect the public, we also have a duty to treat the industries we regulate fairly and in a way that doesn't create unnecessary administrative burdens or "red-tape." We strive to set clear expectations and act as effective regulators, and recognize that we must collaborate with regulated entities so that regulatory processes don't cause unnecessary delays in their ability to do business.

Provide simple and fast licensing to Colorado professionals

As new professionals enter our state economy, getting qualified professionals licensed quickly and easily means Colorado is a better place for them to do business. DORA has taken critical steps in the past few years to accelerate the licensing process, and we seek continual improvement of those processes to support economic development and a balanced regulatory framework.

100% of occupational license applications processed within 30 days, sustained through June 30, 2020 (DPO)

95% of real estate license applications processed within 5 business days, sustained through June 30, 2020 (DRE)

99% of securities license applications processed within 15 days, sustained through June 30, 2020 (DOS)

100% of businesses and reinstatement applications available online by the end of FY18 (DPO)

Maintain efficient regulatory examinations

Regular examinations are performed by a number of our divisions to ensure compliance with laws and regulations. Maintaining timely examinations saves both DORA and the regulated institution under examination time and money.

100% financial institution exams completed within 12-18 months, sustained through June 30, 2020 (DOB & DFS)

100% of securities examinations completed within an average of 90 days, sustained through June 30, 2020 (DOS)

Reduce red tape and unnecessary regulatory burden

Since 2011, Colorado Governor John Hickenlooper has instituted a series of reforms to identify and eliminate regulatory inefficiencies in state government and cut unnecessary “red-tape.” Through regular review of rules, as well as projects aimed at streamlining regulatory processes, DORA continues to remove barriers to businesses in the state.

100% of small business applications online, resulting in significant savings of time and money to small businesses and licensed professionals, by June 30, 2018 (DPO)

\$50,000 in annual savings to money transmitters resulting from new multi-state exams being instituted by June 30, 2018 (DOB)

Promote statewide broadband availability

DORA facilitates the Colorado Broadband Deployment Board, coordinating with the public and private sectors to advance the availability of broadband services across the state through grants that go to internet providers. Implementation of these grants is a collaborative effort between the Colorado Broadband Office, the Governor’s Office of Information Technology (OIT), the Department of Local Affairs (DOLA), the Office of Economic Development and International Trade (OEDIT), Department of Transportation (CDOT), the Public Utilities Commission (PUC), as well as local governments and providers, to contribute to the delivery of broadband services to underserved parts of Colorado. Providing broadband services enables rural communities to access telehealth, expands education, bolsters tourism and fosters a strong business environment.

100% of broadband grant funds awarded, in an effort to achieve 85% rural broadband connectivity throughout the state by June 30, 2018 (EDO)

Streamline occupational licensing for veterans

To assist Active Duty Military, Reserves, National Guard, military spouses and Veterans in understanding how they may apply the skills they acquired while in service toward professional licensure or certification, DORA has implemented several initiatives to streamline and enhance licensure processes based on military experience. Assistance for military spouses who may currently hold a professional license in another state is also available. More information can be found at colorado.gov/dora-military.

4 new policies adopted to identifying pathways for veterans using military training for licensure by June 30, 2018 (DPO)

2 new partnerships with institutions of Higher Education in pursuit of developing gap coursework for veterans seeking to transition from a military to a civilian occupation by June 30, 2018 (DPO)

EVALUATION

Internal Scoreboard

Beginning in FY18, DORA will be utilizing an enterprise Scorecard that provides an executive summary of DORA's strategic and operational progress. It includes all the performance metrics from this document, and will be collectively reviewed by division leadership on a regular basis. DORA employees can access the Scorecard data on our intranet site.

Governor's Dashboard

In an effort to provide the public with transparent results, Governor Hickenlooper launched the Governor's Dashboard, where the public can access a snapshot of the performance of the executive branch on major goals and actions being taken to deliver results. It provides a summary of how we are doing across our three priorities that fulfill the vision of a truly Healthy Colorado across our people, our economy, our communities and our environment: economic and infrastructure development, environment and energy, health, quality government services, and workforce development and education. Metrics that DORA is contributing to the Governor's Dashboard in FY18 include:

- Early stakeholder engagement in rulemaking
- Utilization of the Prescription Drug Monitoring Program
- Timeliness of professional and occupational licensing

The Governor's Dashboard can be found at colorado.gov/governor/dashboard.

ORGANIZATIONAL STRUCTURE

583.6 FTE; \$99.2 million

Division of Real Estate

Marcia Waters, Director
55.9 FTE | \$7.3M

Colorado Civil Rights Division

Aubrey Elenis, Director
27.2 FTE | \$2.8M

Division of Banking

Chris Myklbust, Commissioner
40 FTE | \$5.7M

Public Utilities Commission

Doug Dean, Director
97.3 FTE | \$28.5M

Office of Consumer Counsel

Cindy Schonaut, Director
7 FTE | \$1.8M

Executive Director's Office

Marguerite Salazar,
Executive Director
29.5 FTE | \$6M

Division of Securities

Gerald Rome, Commissioner
24 FTE | \$5.3M

Division of Insurance

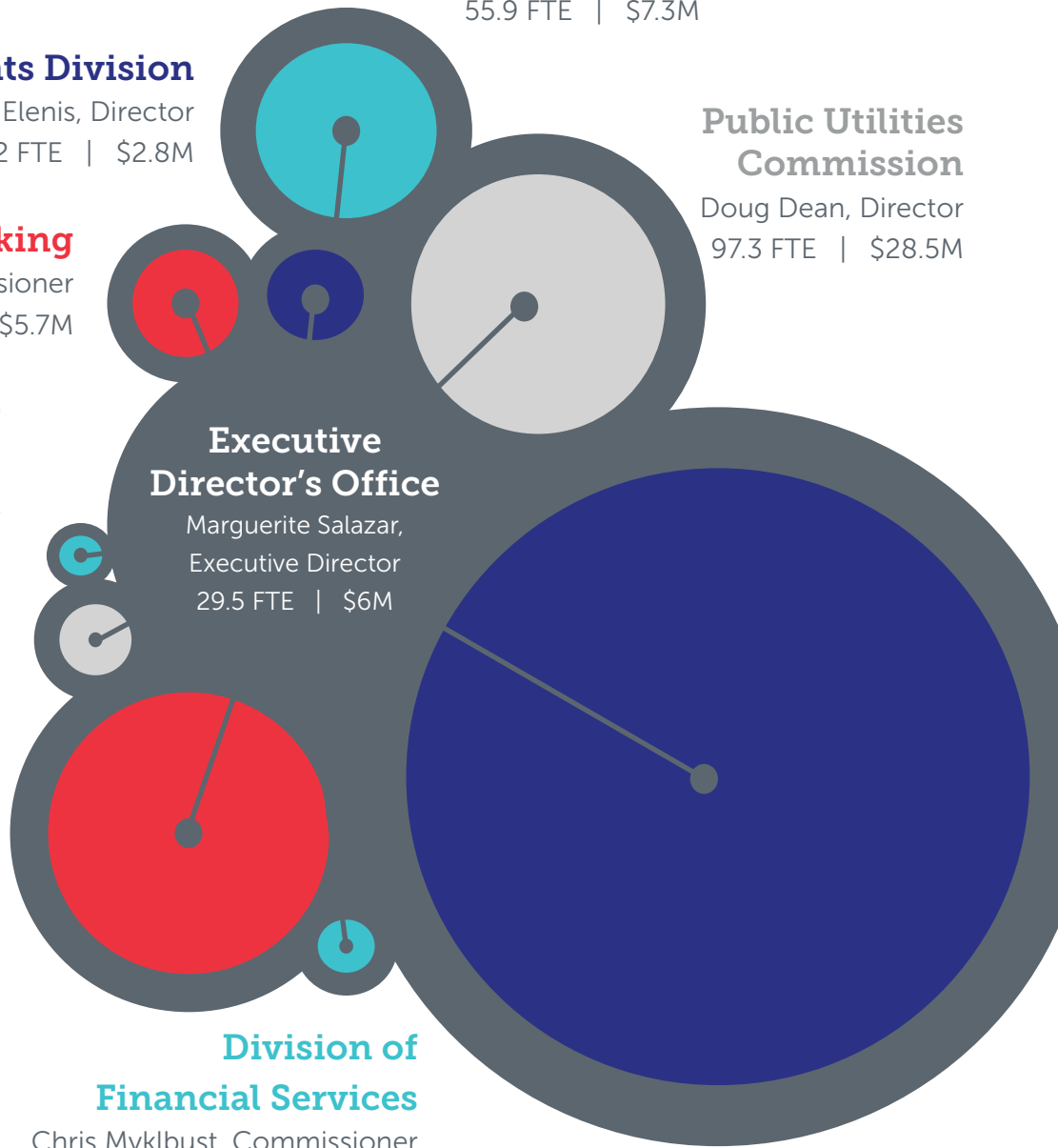
Marguerite Salazar,
Commissioner
85.2 FTE | \$11.2M

Division of Financial Services

Chris Myklbust, Commissioner
15.6 FTE | \$2.1M

Division of Professions and Occupations

Ronne Hines, Director
201.9 FTE | \$28.5M





PERFORMANCE PLAN

Fiscal Year 2017-2018

July 1, 2017-June 30, 2018

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