



January 3, 2023

To Whom it May Concern,

The Colorado Division of Oil and Public Safety (Division) has been receiving complaints from consumers of propane throughout the state that their propane provider is unable to provide timely service of propane deliveries during the extreme cold conditions that the state is currently experiencing. In some cases this inability of the propane provider to service their customers has resulted in out of propane conditions with the potential of damage to property due to freezing of water pipes, and more importantly life safety concerns, with these consumers using space heaters, or even attaching their systems to other containers (e.g. 100lb cylinders) without a proper test for leakage due to an interruption of service. Because of this issue, and because this issue is ongoing and not isolated to the current 2022/2023 winter heating season, the Division will not enforce the provisions of Colorado Revised Statute 8-20-302 Refill Container Unlawful, if all of the following conditions are met on a case by case basis:

1. A consumer is out of propane, or in imminent danger of running out of propane.
2. A consumer has made a good faith effort to contact the propane provider who owns the container.
3. The propane provider who owns the container has not responded by filling the container.
4. Another propane provider other than the container owner is willing to fill the container
5. The alternate propane provider has made a good faith effort to contact the container owner and obtain permission to fill the container
6. The Division has made a good faith effort to contact the container owner and is unsuccessful in obtaining a response from the container owner.
7. The alternate propane provider obtains written permission from the Division to fill the container only after the Division is unable to obtain a response from the container owner.
8. In the case of an out of propane situation, the provisions of the Colorado LP-Gas Regulations in Section 3-2, Delivery after Interruption of Service, and all other safety requirements in accordance with Colorado statutes, regulations and codes are met.

Any questions regarding this issue may be directed to Scott Simmons at 303-378-1103, or [scott.simmons@state.co.us](mailto:scott.simmons@state.co.us)

