

Part 2 Renewable Energy Provisions

10-19-201 Target amount of qualifying electricity -- Renewable energy certificate -- Cost-effectiveness.

- (1)
 - (a) To the extent that it is cost-effective to do so, beginning in 2025 the annual retail electric sales in this state of each municipal electric utility shall consist of qualifying electricity or renewable energy certificates in an amount equal to at least 20% of adjusted retail electric sales.
 - (b) The amount under Subsection (1)(a) is computed based upon adjusted retail sales for the calendar year commencing 36 months before the first day of the year for which the target calculated under Subsection (1)(a) applies.
 - (c) Notwithstanding Subsections (1)(a) and (b) an increase in the annual target from one year to the next is limited to the greater of:
 - (i) 17,500 megawatt-hours; or
 - (ii) 20% of the prior year's amount under Subsections (1)(a) and (b).
- (2) Cost-effectiveness under Subsection (1) is determined using any criteria applicable to the municipal electric utility's acquisition of a significant energy resource established by the municipality's legislative body.
- (3) This section does not require a municipal electric utility to:
 - (a) substitute qualifying electricity for electricity from a generation source owned or contractually committed, or from a contractual commitment for a power purchase;
 - (b) enter into any additional electric sales commitment or any other arrangement for the sale or other disposition of electricity that is not already, or would not be, entered into by the municipal electric utility; or
 - (c) acquire qualifying electricity in excess of its adjusted retail electric sales.
- (4) A municipal electrical corporation may combine the following to meet Subsection (1):
 - (a) qualifying electricity from a renewable energy source owned by the municipal electric utility;
 - (b) qualifying electricity acquired by the municipal electric utility through trade, power purchase, or other transfer; and
 - (c) a bundled or unbundled renewable energy certificate, including a banked renewable energy certificate.
- (5) To meet Subsection (1), a municipal electric utility may also count:
 - (a) qualifying electricity generated or acquired or renewable energy certificates acquired for a program permitting the municipal electric utility's customers to voluntarily contribute to a renewable energy source; and
 - (b) electricity allocated to this state that is produced by a hydroelectric facility becoming operational after December 31, 2007 if the hydroelectric facility is located in any state in which the municipal electric utility, or the interlocal entity with which the municipal electric utility has a contract, provides electric service.

Enacted by Chapter 374, 2008 General Session

10-19-202 Renewable energy certificate -- Use to satisfy other requirements.

- (1) A municipal electric utility may buy, sell, trade, or otherwise transfer a renewable energy certificate issued or recognized under Section 54-17-603.

- (2) For the purpose of satisfying Subsection 10-19-201(1) and the issuance of a renewable energy certificate under Section 54-17-603:
 - (a) a renewable energy source located in this state that derives its energy from solar photovoltaic and solar thermal energy shall be credited for 2.4 kilowatt-hours of qualifying electricity for each 1.0 kilowatt-hour generated; and
 - (b) if two or more municipal electric utilities jointly own a renewable energy resource, each municipal electric utility shall be credited with 1.0 kilowatt-hour of qualifying electricity for 1.0 kilowatt-hour of the renewable energy resource allocated to the municipal electric utility by contract, unless the contract otherwise provides.
- (3) A renewable energy certificate:
 - (a) may be used only once to satisfy Subsection 10-19-201(1);
 - (b) may be used to satisfy Subsection 10-19-201(1) and the qualifying electricity on which the renewable energy certificate is based may be used to satisfy any federal renewable energy requirement; and
 - (c) may not be used if it has been used to satisfy any other state's renewable energy requirement.

Enacted by Chapter 374, 2008 General Session