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**RENEWABLE ENERGY AMENDMENTS**

2014 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Kraig Powell**

Senate Sponsor: \_\_\_\_\_

**LONG TITLE**

**General Description:**

This bill modifies Title 54, Public Utilities, Chapter 17, Energy Resource Procurement Act.

**Highlighted Provisions:**

This bill:

- ▶ authorizes a municipality or county to qualify as a contract customer;
- ▶ describes the requirements for a municipality or county to qualify as a contract customer;
- ▶ requires the Public Service Commission to make rules to determine appropriate charges and credits for participating customers within a municipality or county who do not pay a separate demand charge; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**54-17-802**, as enacted by Laws of Utah 2012, Chapter 182

ENACTS:



28 [54-17-806](#), Utah Code Annotated 1953

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30 *Be it enacted by the Legislature of the state of Utah:*

31 Section 1. Section **54-17-802** is amended to read:

32 **54-17-802. Contracts for the purchase of electricity from a renewable energy**  
33 **facility.**

34 (1) Within a reasonable time after receiving a request from a contract customer and  
35 subject to reasonable credit requirements, a qualified utility shall enter into a renewable energy  
36 contract with the requesting contract customer to supply some or all of the contract customer's  
37 electric service from one or more renewable energy facilities selected by the contract customer.

38 (2) Subject to a contract customer agreeing to pay the qualified utility for all  
39 incremental costs associated with metering facilities, communication facilities, and  
40 administration, a renewable energy contract may provide for electricity to be delivered to a  
41 contract customer:

42 (a) from one renewable energy facility to a contract customer's single metered delivery  
43 location;

44 (b) from multiple renewable energy facilities to a contract customer's single metered  
45 delivery location; or

46 (c) from one or more renewable energy facilities to a single contract customer's  
47 multiple metered delivery locations.

48 (3) (a) A single contract customer may aggregate multiple metered delivery locations to  
49 satisfy the minimum megawatt limit under Subsection (4).

50 (b) Multiple contract customers may not aggregate their separate metered delivery  
51 locations to satisfy the minimum megawatt limit under Subsection (4).

52 (4) The amount of electricity provided to a contract customer under a renewable energy  
53 contract may not be less than 2.0 megawatts.

54 (5) The amount of electricity provided in any hour to a contract customer under a  
55 renewable energy contract may not exceed the contract customer's metered kilowatt-hour load  
56 in that hour at the metered delivery locations under the contract.

57 (6) A renewable energy contract that meets the requirements of Subsection (4) may  
58 provide for one or more increases in the amount of electricity to be provided under the contract

59 even though the amount of electricity to be provided by the increase is less than the minimum  
60 amount required under Subsection (4).

61 (7) The total amount of electricity to be generated by renewable energy facilities and  
62 delivered to contract customers at any one time under all renewable energy contracts may not  
63 exceed 300 megawatts, unless the commission approves in advance a higher amount.

64 (8) Electricity generated by a renewable energy facility and delivered to a contract  
65 customer under a renewable energy contract may not be included in a net metering program  
66 under Chapter 15, Net Metering of Electricity.

67 (9) Subject to Subsections (10) and (11), a municipality or county may be a contract  
68 customer for the benefit of some or all participating customers of a qualified utility located  
69 within that municipality or county if the aggregated loads of all participating customers within  
70 a municipality or county satisfy the minimum megawatt limit under Subsection (4).

71 (10) (a) The maximum delivery requirement of Subsection (5) shall apply to each  
72 participating customer.

73 (b) The bill credits described under Subsection 54-17-805(3) shall be credited to each  
74 participating customer.

75 (11) If a municipality or county becomes a contract customer under Subsection (9), the  
76 obligation to pay some or all of the incremental costs under Subsection (2) and delivery costs  
77 under Subsection 54-17-805(1) or (2) shall, at the option of the municipality or county, be:

78 (a) assumed by the municipality or county; or

79 (b) borne by each participating customer.

80 Section 2. Section 54-17-806 is enacted to read:

81 **54-17-806. Commission rules.**

82 The commission shall, by rule, determine appropriate charges and credits under this  
83 chapter, including for participating customers who do not pay a separate demand charge.

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Legislative Review Note  
as of 1-13-14 4:38 PM

Office of Legislative Research and General Counsel