

HB0201 compared with HB0201S01

21 AMENDS:

22 **54-17-301** , as last amended by Laws of Utah 2008, Chapter 382 , as last amended by Laws of Utah
2008, Chapter 382

23 ENACTS:

24 **54-17-305** , Utah Code Annotated 1953 , Utah Code Annotated 1953

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

27 Section 1. Section **54-17-301** is amended to read:

28 **54-17-301. Review of integrated resource plan action plans.**

26 (1) As used in this part:

30 (a) "Baseload capacity" means the amount of baseload power that electricity generation resources can
reliably produce through continuous or nearly continuous operation.

32 (b) "Baseload electricity resource" means an electricity generation resource that operates continuously
or nearly continuously to maintain a stable power supply at the electricity generation resource's
rated capacity.

35 (c) "Baseload power" means the minimum amount of electric power continuously needed to meet basic
system demand.

27 ~~{(a)}~~ (d) "Demand management program" means any rate structure, incentive, technology, or other
mechanism designed to modify the timing or amount of customer electricity consumption.

40 (e) "Firming capacity" means the amount of electric power that electricity generation resources can
produce, at the system operator's discretion, to reliably meet peak load and balance fluctuations in
electrical demand or supply.

43 (f)

30 ~~{(b)}~~ (i) "Supplemental resource" means a {~~generation, transmission, or other~~} utility asset or
operational control required to maintain reliable power delivery when a variable energy resource is
not operating at full capacity.

46 (ii) "Supplemental resource" includes:

47 (A) generation resources;

48 (B) transmission resources;

49 (C) energy balancing measures; and

50 (D) market purchases.

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- 51 (g) "Variable capacity" means the amount of electric power that electricity generation resources can
33 produce when operating on a variable basis due to elements outside of operator control.
- 33 ~~{(e)}~~ (h) "Variable energy resource" means an ~~{electric}~~ electricity generation facility that cannot
36 consistently deliver power at the facility's rated capacity due to ~~{the nature}~~ elements outside of the
37 ~~{facility's fuel source}~~ operator's control.
- 36 ~~{(d)}~~ (i) "Voluntary conservation program" means a program that:
- 37 (i) provides customers financial incentives or cost-saving opportunities to reduce energy consumption;
39 ~~{and}~~
- 39 (ii) maintains the customer's control over the customer's energy usage decisions{-}; and
- 61 (iii) allows customers to opt out of any offered programs without restrictive penalties or length
64 commitments.
- 40 (2) An affected electrical utility shall file with the commission any action plan developed as part of the
43 affected electrical utility's integrated resource plan to enable the commission to review and provide
46 guidance to the affected electrical utility.
- 66 (3) A utility's action plan shall:
- 67 (a) report baseload energy resources as baseload capacity, specifying the expected deliverable energy;
69 (b) report variable energy resources as variable capacity, specifying the expected deliverable energy;
71 (c) report energy storage systems, including batteries and other storage devices, as firming capacity;
73 (d) report variable energy resources paired with energy storage as firming capacity, subject to the
76 energy storage system requirements in Subsection (4)(b)(ii); and
- 75 (e) report any expected curtailment of baseload and variable energy resources resulting from supply
78 preferences or demand constraints.
- 43 ~~{(3)}~~ (4) In reviewing an action plan, the commission shall require:
- 44 (a) all costs of supplemental resources to be attributed to the variable energy resources that necessitate
47 the use of supplemental resources; and
- 46 (b) generation capacity calculations to:
- 47 (i) exclude energy conservation measures and demand reduction programs; and
- 48 (ii) reflect actual delivery capability for energy storage systems, accounting for:
- 49 (A) charging requirements;
- 50 (B) duration limitations; and
- 51 (C) seasonal performance variations in capacity and duration.

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52 [(2)] ~~{(4)}~~ (5)

. (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the commission shall make rules providing a process for its review of an action plan.

55 (b) The rules required under Subsection [(2)(a)] ~~{(4)(a)}~~ (5)(a) shall provide sufficient flexibility to permit changes in an action plan between the periodic filings of the affected electrical utility's integrated resource plan.

92 Section 2. Section 2 is enacted to read:

93 **54-17-305. Demand management programs.**

60 (1) An affected electrical utility may not:

61 (a) implement a demand management program without the consumer's voluntary participation and written consent; or

63 (b) count anticipated demand reductions from any demand management program as equivalent to generation capacity in an integrated resource plan.

99 (2) Notwithstanding Subsection (1), an integrated resource plan may account for load decrease from a demand management program if:

101 (a) the affected electrical utility demonstrates the load decrease is:

102 (i) within the utility's sole control; or

103 (ii) otherwise reliable; and

104 (b) the load decrease will not result in a supply shortage during the period for which the decrease is anticipated.

65 ~~{(2)}~~ (3) This section does not prohibit an affected electrical utility from:

66 (a) offering voluntary conservation programs that provide customers direct financial benefits; or

68 (b) implementing emergency procedures necessary to maintain system reliability.

110 Section 3. **Effective date.**

This bill takes effect on May 7, 2025.

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