HB0201S02 compared with HB0201

~~{Omitted text}~~ shows text that was in HB0201 but was omitted in HB0201S02
inserted text shows text that was not in HB0201 but was inserted into HB0201S02

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Energy Resource Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Colin W. Jack

Senate Sponsor:Ronald M. Winterton

LONG TITLE

General Description:

This bill modifies provisions related to the evaluation of integrated resource plans by the Public Service Commission.

Highlighted Provisions:

This bill:

- **defines terms;**
- requires full cost attribution for supplemental resources in integrated resource plans;
- establishes requirements for calculating generation capacity;
- **requires an affected electrical utility to include certain designations in the utility's action plan;**
- prohibits certain involuntary demand management programs; and
- makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

HB0201

None

AMENDS:

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

ENACTS:

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

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

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

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

(1) As used in this part:

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

(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.

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

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

(e) "Expected deliverable energy" means the amount of electrical energy that a resource can reliably deliver to the grid based on historical performance data and operational constraints.

(f) "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.

(g) "Plant factor" means the same as that term is defined in Section 79-6-303.

(h) "Resource adequacy program" means a program that establishes capacity contribution values for generation resources based on historical performance data.

(i)

{~~(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.

(ii) "Supplemental resource" includes:

(A) generation resources;

(B) transmission resources;

(C) energy balancing measures; and

(D) market purchases.

(j) "Variable capacity" means the amount of electric power that electricity generation resources can produce when operating on a variable basis due to elements outside of operator control.

{~~(c)~~} (k) "Variable energy resource" means an {~~electric~~ } electricity generation facility that cannot consistently deliver power at the facility's rated capacity due to {~~the nature~~ } elements outside of the {~~facility's fuel source~~} operator's control.

{~~(d)~~} (l) "Voluntary conservation program" means a program that:

(i) provides customers financial incentives or cost-saving opportunities to reduce energy consumption; {~~and~~}

(ii) maintains the customer's control over the customer's energy usage decisions{~~.~~} ; and

{~~(2)~~} (iii) allows customers to opt out of any offered programs without restrictive penalties or length commitments.

(2) An affected electrical utility shall file with the commission any action plan developed as part of the affected electrical utility's integrated resource plan to enable the commission to review and provide guidance to the affected electrical utility.

(3) {~~In reviewing an~~ } An affected electrical utility's action plan{~~, the commission shall require~~} shall:

(a) {~~all costs of supplemental resources to be attributed to the variable~~ } report baseload energy resources {~~that necessitate~~ } as baseload capacity, specifying the {~~use of supplemental resources; and~~} expected deliverable energy;

(b) {~~generation~~ } report variable energy resources as variable capacity {~~calculations to:~~} , specifying the expected deliverable energy;

{~~(i)~~} (c) {~~exclude~~ } report energy {~~conservation measures~~ } storage systems, including batteries and {~~demand reduction programs~~} other storage devices, as firming capacity; {~~and~~}

{~~(ii)~~} (d) {~~reflect actual delivery capability for~~ } report variable energy resources paired with energy storage {~~systems~~} as firming capacity, {~~accounting for:~~} subject to the energy storage system requirements in Subsection (4)(b)(ii); and

{~~(A)~~} (e) {~~charging requirements;~~} separately report any expected curtailment of baseload and variable energy resources resulting from regulations, costs, or demand constraints.

{~~(B)~~} (f) {~~duration limitations~~} attribute relevant costs of supplemental resources to the variable energy resources that necessitate the use of supplemental resources; {~~and~~}

{~~(C)~~} (g) {~~seasonal performance variations in~~ } for generation capacity {~~and duration.~~} calculations:

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

{~~(a)~~} exclude energy conservation measures and demand reduction programs;

(ii) reflect actual delivery capability for energy storage systems, accounting for:

(A) charging requirements;

(B) duration limitations; and

(C) seasonal performance variations in capacity and duration; and

(iii) for variable energy resources, use:

(A) capacity assumptions for long-term planning; and

(B) capacity and plant factor values established by a resource adequacy program in which the affected electrical utility's resource adequacy participates.

[~~(2)~~] (4)

(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.

(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.

Section 2. Section **2** is enacted to read:

54-17-305. Demand management programs.

(1) An affected electrical utility may not:

(a) implement a demand management program {~~without the consumer's voluntary participation and written consent; or~~} unless:

(i) the consumer voluntarily participates; and

(ii) the consumer provides written or electronic consent; or

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

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

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

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

(ii) otherwise reliable; and

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

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

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

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

Section 3. **Effective date.**

This bill takes effect on May 7, 2025.

2-18-25 8:10 AM