

**54-17-603 Renewable energy certificate -- Issuance -- Use to satisfy other requirements.**

- (1) The commission shall establish a process for issuance or recognition of a renewable energy certificate.
- (2) The commission process under Subsection (1) shall provide for the issuance, monitoring, accounting, transfer, and use of a renewable energy certificate, including in electronic form.
- (3) The commission may:
  - (a) consult with another state or a federal agency and any regional system or trading program to fulfill Subsection (1); and
  - (b) allow use of a renewable energy certificate that is issued, monitored, accounted for, or transferred by or through a regional system or trading program, including the Western Renewable Energy Generation Information System, to fulfill this part's provisions.
- (4) A renewable energy certificate shall be issued for:
  - (a) qualifying electricity generated on and after January 1, 1995; and
  - (b) the activities of an energy user described in Subsections 10-19-102(11)(e) and 54-17-601(10)(e) on and after January 1, 1995.
- (5) The person requesting a renewable energy certificate shall affirm that the renewable energy attributes of the electricity have not been traded, sold, transferred, or otherwise used to satisfy another state's renewable energy requirements.
- (6)
  - (a) For the purpose of satisfying Subsection 54-17-602(1) and the issuance of a renewable energy certificate under this section, a renewable energy source located in this state that derives its energy from solar photovoltaic or solar thermal energy shall be credited for 2.4 kilowatt-hours of qualifying electricity for each 1.0 kilowatt-hour generated.
  - (b) Notwithstanding Subsection (6)(a), the acquisition or construction by an electrical corporation of a renewable energy source that derives its energy from solar photovoltaic or solar thermal energy shall comply with the cost-effectiveness criteria of Subsection 54-17-201(2)(c)(ii).
- (7) A renewable energy certificate issued under this section:
  - (a) does not expire; and
  - (b) may be banked.
- (8) The commission may recognize a renewable energy certificate that is issued, monitored, accounted for, or transferred by or through another state or a regional system or trading program, including the Western Renewable Energy Generation Information System, if the renewable energy certificate is for qualifying electricity.
- (9) A renewable energy certificate:
  - (a) may be used only once to satisfy Subsection 54-17-602(1);
  - (b) may be used for the purpose of Subsection 54-17-602(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.
- (10) The commission shall establish procedures and reasonable rates permitting an electrical corporation that is a purchasing utility under Section 54-12-2 to acquire or retain a renewable energy certificate associated with the purchase of power from an independent energy producer.

Amended by Chapter 140, 2009 General Session