

RENEWABLE ENERGY CERTIFICATE

REVISIONS

2009 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Curtis S. Bramble

House Sponsor: Wayne A. Harper

LONG TITLE

General Description:

This bill clarifies the Public Service Commission (PSC) renewable energy certificate authority.

Highlighted Provisions:

This bill:

- clarifies the PSC's renewable energy certificate authority; and
- makes technical corrections.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

54-17-603, as enacted by Laws of Utah 2008, Chapter 374

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

Section 1. Section **54-17-603** is amended to read:

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) [~~may~~] 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.