

HB0110S01 compared with HB0110

~~deleted text~~ shows text that was in HB0110 but was deleted in HB0110S01.

inserted text shows text that was not in HB0110 but was inserted into HB0110S01.

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.

Representative Kraig Powell proposes the following substitute bill:

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.

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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

54-17-805, as enacted by Laws of Utah 2012, Chapter 182

ENACTS:

54-17-806, Utah Code Annotated 1953

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

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

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

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

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

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

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

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

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

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

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

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

(6) A renewable energy contract that meets the requirements of Subsection (4) may provide for one or more increases in the amount of electricity to be provided under the contract even though the amount of electricity to be provided by the increase is less than the minimum amount required under Subsection (4).

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

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

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

(10) (a) The maximum delivery requirement of Subsection (5) shall apply to each participating customer, **provided that a participating customer's metered kilowatt-hour load in each hour may be based on estimated loads or average loads of similar customers if the customer does not have a meter capable of measuring hourly load.**

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

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

(a) assumed by the municipality or county; or

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(b) borne by each participating customer.

Section 2. Section 54-17-805 is amended to read:

54-17-805. Costs associated with delivering electricity from a renewable energy facility to a contract customer.

(1) To the extent that a renewable energy contract provides for the delivery of electricity from a renewable energy facility owned by the contract customer, the renewable energy contract shall require the contract customer to pay for the use of the qualified utility's transmission or distribution facilities at the qualified utility's applicable rates, which may include transmission costs at the qualified utility's applicable rate approved by the Federal Energy Regulatory Commission.

(2) To the extent that a renewable energy contract provides for the delivery of electricity from a renewable energy facility owned by a person other than the qualified utility or the contract customer, the renewable energy contract shall require the contract customer to bear all reasonably identifiable costs that the qualified utility incurs in delivering the electricity from the renewable energy facility to the contract customer, including all costs to procure and deliver electricity and for billing, administrative, and related activities, as determined by the commission.

(3) A qualified utility that enters a renewable energy contract shall charge a contract customer for all metered electric service delivered to the contract customer, including generation, transmission, and distribution service, at the qualified utility's applicable tariff rates, excluding:

(a) any kilowatt hours of electricity delivered from the renewable energy facility, based on the time of delivery, if applicable, adjusted for transmission losses;

(b) any kilowatts of electricity delivered from the renewable energy facility that coincide with the contract customer's monthly metered kilowatt demand measurement, if applicable, adjusted for transmission losses;

(c) any transmission and distribution service that the contract customer pays for under Subsection (1) or (2); and

(d) any transmission service that the contract customer provides under Subsection (2) to deliver generation from the renewable energy facility.

Section ~~(2)~~3. Section **54-17-806** is enacted to read:

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54-17-806. Commission rules.

The commission shall, by rule, determine appropriate charges and credits under this 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~~