

26 [54-17-807](#), Utah Code Annotated 1953

27

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

29 Section 1. Section [54-17-807](#) is enacted to read:

30 **[54-17-807](#). Solar photovoltaic or thermal solar energy facilities.**

31 (1) As used in this section, "acquire" means to purchase, construct, or purchase the
32 output from a photovoltaic or thermal solar energy resource.

33 (2) ~~H→~~ (a) ~~←H~~ In accordance with this section, a qualified utility may file an application
33a with the

34 commission for approval to acquire a photovoltaic or thermal solar energy resource using rate
35 recovery based on a competitive market price ~~H→~~, except as provided in Subsection (2)(b) ~~←H~~.

35a ~~H→~~ (b) **A qualified utility may not, under this section, acquire a photovoltaic or**
35b **thermal solar energy resource with a generating capacity that is two megawatts or less per**
35c **meter if that resource is located on the customer's side of the meter.** ~~←H~~

36 (3) The energy resource acquired pursuant to this section may be owned solely or
37 jointly by a qualified utility or another entity:

38 (a) to provide renewable energy to a contract customer as provided in Section
39 [54-17-803](#);

40 (b) to serve energy to a qualified utility customer as provided in Section [54-17-806](#);

41 (c) to serve energy to any customers of the qualified utility if the proposed energy
42 resource's nameplate capacity does not exceed 300 megawatts or, if applicable, the quantity of
43 capacity that is the subject of a contract for the purchase of electricity does not exceed 300
44 megawatts, so long as the qualified utility proceeds under and complies with Part 4, Voluntary
45 Request for Resource Decision Review; or

46 (d) to serve energy to any customers of the qualified utility if the proposed energy
47 resource's nameplate capacity exceeds 300 megawatts or, if applicable, the quantity of capacity
48 that is the subject of a contract for the purchase of electricity exceeds 300 megawatts, so long
49 as the qualified utility complies with this chapter.

50 (4) Except as provided in Subsections (3)(c) and (d), the following do not apply to an
51 application submitted under Subsection (2):

52 (a) Part 1, General Provisions;

53 (b) Part 2, Solicitation Process;

54 (c) Part 3, Resource Plans and Significant Energy Resource Approval;

55 (d) Part 4, Voluntary Request for Resource Decision Review; and

56 (e) Section [54-17-502](#).