

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1580 Session of
2011

INTRODUCED BY ROSS, SCAVELLO, THOMAS, BISHOP, BOYD, B. BOYLE, K. BOYLE, BRADFORD, BRENNAN, BRIGGS, R. BROWN, V. BROWN, CALTAGIRONE, CARROLL, COHEN, D. COSTA, CREIGHTON, CURRY, CUTLER, DALEY, DAVIS, DAY, DEASY, DeLUCA, DePASQUALE, DiGIROLAMO, DONATUCCI, J. EVANS, EVERETT, FARRY, FLECK, FRANKEL, FREEMAN, GALLOWAY, GEORGE, GIBBONS, GILLEN, GINGRICH, GOODMAN, HACKETT, HAHN, HANNA, HARHAI, HARKINS, HARPER, HARRIS, HELM, HENNESSEY, HESS, HORNAMAN, JOSEPHS, KAVULICH, F. KELLER, M. K. KELLER, W. KELLER, KILLION, KOTIK, KULA, MAJOR, MALONEY, MANN, MASSER, MATZIE, McGEEHAN, MICCARELLI, MILLARD, MILNE, MOUL, MUNDY, MURPHY, MURT, NEUMAN, M. O'BRIEN, O'NEILL, PASHINSKI, PAYTON, PEIFER, PETRI, PRESTON, READSHAW, REICHLEY, ROEBUCK, SABATINA, SAMUELSON, SANTARSIERO, SANTONI, SAYLOR, SCHRODER, SHAPIRO, K. SMITH, M. SMITH, STABACK, STERN, STURLA, TAYLOR, TOBASH, TOOHIL, VEREB, VITALI, VULAKOVICH, WAGNER, WATSON, WHITE, YOUNGBLOOD, QUINN, ROCK AND SONNEY, OCTOBER 20, 2011

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, OCTOBER 20, 2011

AN ACT

Amending the act of November 30, 2004 (P.L.1672, No.213), entitled, "An act providing for the sale of electric energy generated from renewable and environmentally beneficial sources, for the acquisition of electric energy generated from renewable and environmentally beneficial sources by electric distribution and supply companies and for the powers and duties of the Pennsylvania Public Utility Commission," further providing for alternative energy portfolio standards and for portfolio requirements in other states.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Sections 3(b)(2) and 4 of the act of November 30, 2004 (P.L.1672, No.213), known as the Alternative Energy Portfolio Standards Act, amended July 17, 2007 (P.L.114, No.35),

are amended to read:

Section 3. Alternative energy portfolio standards.

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(b) Tier I and solar photovoltaic shares.--

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(2) The total percentage of the electric energy sold by an electric distribution company or electric generation supplier to retail electric customers in this Commonwealth that must be sold from solar photovoltaic technologies is:

- (i) 0.0013% for June 1, 2006, through May 31, 2007.
- (ii) 0.0030% for June 1, 2007, through May 31, 2008.
- (iii) 0.0063% for June 1, 2008, through May 31, 2009.
- (iv) 0.0120% for June 1, 2009, through May 31, 2010.
- (v) 0.0203% for June 1, 2010, through May 31, 2011.
- (vi) 0.0325% for June 1, 2011, through May 31, 2012.
- (vii) [~~0.0510%~~] 0.1500% for June 1, 2012, through May 31, 2013.
- (viii) [~~0.0840%~~] 0.1700% for June 1, 2013, through May 31, 2014.
- (ix) [~~0.1440%~~] 0.2041% for June 1, 2014, through May 31, 2015.
- (x) 0.2500% for June 1, 2015, through May 31, 2016.
- (xi) 0.2933% for June 1, 2016, through May 31, 2017.
- (xii) 0.3400% for June 1, 2017, through May 31, 2018.
- (xiii) 0.3900% for June 1, 2018, through May 31, 2019.
- (xiv) 0.4433% for June 1, 2019, through May 31, 2020.

(xv) 0.5000% for June 1, 2020, and thereafter.

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Section 4. Portfolio requirements in other states.

(a) General rule.--If an electric distribution supplier or electric generation company provider sells electricity in any other state and is subject to renewable energy portfolio requirements in that state, they shall list any such requirement and shall indicate how it satisfied those renewable energy portfolio requirements. To prevent double-counting, the electric distribution supplier or electric generation company shall not satisfy Pennsylvania's alternative energy portfolio requirements using alternative energy used to satisfy another state's portfolio requirements or alternative energy credits already purchased by individuals, businesses or government bodies that do not have a compliance obligation under this act unless the individual, business or government body sells those credits to the electric distribution company or electric generation supplier. Energy derived from alternative energy sources inside the geographical boundaries of this Commonwealth shall be eligible to meet the compliance requirements under this act. Energy derived from alternative energy sources located outside the geographical boundaries of this Commonwealth but within the service territory of a regional transmission organization that manages the transmission system in any part of this Commonwealth shall only be eligible to meet the compliance requirements of electric distribution companies or electric generation suppliers located within the service territory of the same regional transmission organization. For purposes of compliance with this act, alternative energy sources located in the PJM

Interconnection, L.L.C. regional transmission organization (PJM) or its successor service territory shall be eligible to fulfill compliance obligations of all Pennsylvania electric distribution companies and electric generation suppliers. Energy derived from alternative energy sources located outside the service territory of a regional transmission organization that manages the transmission system in any part of this Commonwealth shall not be eligible to meet the compliance requirements of this act. Electric distribution companies and electric generation suppliers shall document that this energy was not used to satisfy another state's renewable energy portfolio standards.

(b) Solar photovoltaic technology.--To meet the requirements of this section, all solar photovoltaic technology registered after January 1, 2012, shall directly deliver the electricity it generates to the distribution system operated by an electric distribution company operating within this Commonwealth and currently obligated to meet the compliance requirements contained in this act.

Section 2. This act shall take effect in 60 days.