

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

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

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

12 Section 1. Sections 3(b)(2) and 4 of the act of November 30,
 13 2004 (P.L.1672, No.213), known as the Alternative Energy
 14 Portfolio Standards Act, amended July 17, 2007 (P.L.114, No.35),

1 are amended to read:

2 Section 3. Alternative energy portfolio standards.

3 * * *

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

5 * * *

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

10 (i) 0.0013% for June 1, 2006, through May 31, 2007.

11 (ii) 0.0030% for June 1, 2007, through May 31, 2008.

12 (iii) 0.0063% for June 1, 2008, through May 31,
13 2009.

14 (iv) 0.0120% for June 1, 2009, through May 31, 2010.

15 (v) 0.0203% for June 1, 2010, through May 31, 2011.

16 (vi) 0.0325% for June 1, 2011, through May 31, 2012.

17 (vii) [0.0510%] 0.1500% for June 1, 2012, through
18 May 31, 2013.

19 (viii) [0.0840%] 0.1700% for June 1, 2013, through
20 May 31, 2014.

21 (ix) [0.1440%] 0.2041% for June 1, 2014, through May
22 31, 2015.

23 (x) 0.2500% for June 1, 2015, through May 31, 2016.

24 (xi) 0.2933% for June 1, 2016, through May 31, 2017.

25 (xii) 0.3400% for June 1, 2017, through May 31,
26 2018.

27 (xiii) 0.3900% for June 1, 2018, through May 31,
28 2019.

29 (xiv) 0.4433% for June 1, 2019, through May 31,
30 2020.

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

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4 Section 4. Portfolio requirements in other states.

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

1 Interconnection, L.L.C. regional transmission organization (PJM)
2 or its successor service territory shall be eligible to fulfill
3 compliance obligations of all Pennsylvania electric distribution
4 companies and electric generation suppliers. Energy derived from
5 alternative energy sources located outside the service territory
6 of a regional transmission organization that manages the
7 transmission system in any part of this Commonwealth shall not
8 be eligible to meet the compliance requirements of this act.

9 Electric distribution companies and electric generation
10 suppliers shall document that this energy was not used to
11 satisfy another state's renewable energy portfolio standards.

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

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