

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2006 Session of  
2007

INTRODUCED BY YEWCIC, CONKLIN, GEORGE, GRUCELA, HERSHEY, HESS,  
PALLONE, PHILLIPS, PRESTON, REICHLEY, ROHRER, SEIP, STABACK,  
PAYNE, CALTAGIRONE, BASTIAN, COHEN, DeWEESE, EACHUS, GOODMAN,  
HALUSKA AND REED, NOVEMBER 2, 2007

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,  
NOVEMBER 2, 2007

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 credits; and making  
9 a related repeal.

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

12 Section 1. Section 3(e)(12) of the act of November 30, 2004  
13 (P.L.1672, No.213), known as the Alternative Energy Portfolio  
14 Standards Act, amended July 17, 2007 (P.L.114, No.35), is  
15 amended to read:

16 Section 3. Alternative energy portfolio standards.

17 \* \* \*

18 (e) Alternative energy credits.--

19 \* \* \*

20 (12) (i) Unless a contractual provision explicitly

1 assigns alternative energy credits in a different manner,  
2 the owner of the alternative energy system or a customer-  
3 generator owns any and all alternative energy credits  
4 associated with or created by the production of electric  
5 energy by such facility or customer, and the owner or  
6 customer shall be entitled to sell, transfer or take any  
7 other action to which a legal owner of property is  
8 entitled to take with respect to the credits.

9 (ii) This paragraph shall apply to all alternative  
10 energy credits created pursuant to this act.

11 \* \* \*

12 Section 2. Repeals are as follows:

13 (1) The General Assembly declares that the repeal under  
14 paragraph (2) is necessary to effectuate the addition of  
15 section 3(e)(12) of the act.

16 (2) Section 3.1 of the act of July 17, 2007 (P.L.114,  
17 No.35), entitled "An act amending the act of November 30,  
18 2004 (P.L.1672, No.213), entitled, 'An act providing for the  
19 sale of electric energy generated from renewable and  
20 environmentally beneficial sources, for the acquisition of  
21 electric energy generated from renewable and environmentally  
22 beneficial sources by electric distribution and supply  
23 companies and for the powers and duties of the Pennsylvania  
24 Public Utility Commission,' further providing for the  
25 definitions of 'alternative energy credit,' 'customer-  
26 generator,' 'force majeure,' 'net metering,' and 'Tier I  
27 alternative energy source,' for alternative energy portfolio  
28 standards, for portfolio requirements in other states and for  
29 interconnection standards for customer-generator facilities,"  
30 is repealed.

1       Section 3. The amendment of section 3(e)(12) of the act  
2 shall apply to all alternative energy credits created under the  
3 act before, on or after the effective date of this section,  
4 regardless of when any underlying contract for the purchase of  
5 electric energy or other products from the generator that  
6 qualifies as an alternative energy system was executed.

7       Section 4. This act shall take effect immediately.