

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1128 Session of 2009

INTRODUCED BY PRESTON, BRENNAN, BRIGGS, D. COSTA, GINGRICH, HARHART, JOSEPHS, MAHONEY, MELIO, READSHAW, SIPTROTH, YOUNGBLOOD, MURT AND ROAE, MARCH 26, 2009

SENATOR TOMLINSON, CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, IN SENATE, AS AMENDED, SEPTEMBER 22, 2010

AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania
2 Consolidated Statutes, PROVIDING FOR ALTERNATIVE ENERGY
3 PORTFOLIO STANDARDS AND FOR ALTERNATIVE COMPLIANCE PAYMENTS;
4 AND further providing civil penalties for gas pipeline safety
5 violations.



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

8 Section 1. Section 3301(e) of Title 66 of the Pennsylvania
9 Consolidated Statutes is amended to read:



10 SECTION 1. TITLE 66 OF THE PENNSYLVANIA CONSOLIDATED
11 STATUTES IS AMENDED BY ADDING SECTIONS TO READ:



12 § 2816. ALTERNATIVE ENERGY PORTFOLIO STANDARDS.

13 (A) TIER I ALTERNATIVE ENERGY SOURCES.--IN LIEU OF THE
14 CURRENT REQUIREMENTS IN SECTION 3(B)(1) OF THE ACT OF NOVEMBER
15 30, 2004 (P.L.1672, NO.213), KNOWN AS THE ALTERNATIVE ENERGY
16 PORTFOLIO STANDARDS ACT, THE TOTAL PERCENTAGE OF ELECTRIC ENERGY
17 SOLD BY AN ELECTRIC DISTRIBUTION COMPANY OR ELECTRIC GENERATION
18 SUPPLIER TO RETAIL ELECTRIC CUSTOMERS IN THIS COMMONWEALTH THAT

1 MUST BE SOLD FROM TIER I ALTERNATIVE ENERGY SOURCES IS:

2 (1) 1.5013% FOR JUNE 1, 2006, THROUGH MAY 31, 2007.

3 (2) 1.503% FOR JUNE 1, 2007, THROUGH MAY 31, 2008.

4 (3) 2.0063% FOR JUNE 1, 2008, THROUGH MAY 31, 2009.

5 (4) 2.512% FOR JUNE 1, 2009, THROUGH MAY 31, 2010.

6 (5) 3.0203% FOR JUNE 1, 2010, THROUGH MAY 31, 2011.

7 (6) 4.0242% FOR JUNE 1, 2011, THROUGH MAY 31, 2012.

8 (7) 4.5378% FOR JUNE 1, 2012, THROUGH MAY 31, 2013.

9 (8) 5.0576% FOR JUNE 1, 2013, THROUGH MAY 31, 2014.

10 (9) 5.55% FOR JUNE 1, 2014, THROUGH MAY 31, 2015.

11 (10) 6.1167% FOR JUNE 1, 2015, THROUGH MAY 31, 2016.

12 (11) 6.55% FOR JUNE 1, 2016, THROUGH MAY 31, 2017.

13 (12) 7.23% FOR JUNE 1, 2017, THROUGH MAY 31, 2018.

14 (13) 7.8067% FOR JUNE 1, 2018, THROUGH MAY 31, 2019.

15 (14) 8.47% FOR JUNE 1, 2019, THROUGH MAY 31, 2020.

16 (15) 8.85% FOR JUNE 1, 2020, THROUGH MAY 31, 2021.

17 (16) 9.0% FOR JUNE 1, 2021, AND THEREAFTER.

18 (B) SOLAR PHOTOVOLTAIC TECHNOLOGIES.--IN LIEU OF THE CURRENT

19 REQUIREMENTS IN SECTION 3(B)(2) OF THE ALTERNATIVE ENERGY

20 PORTFOLIO STANDARDS ACT, THE TOTAL PERCENTAGE OF ELECTRIC ENERGY

21 SOLD BY AND ELECTRIC DISTRIBUTION COMPANY OR ELECTRIC GENERATION

22 SUPPLIER TO RETAIL ELECTRIC CUSTOMERS IN THIS COMMONWEALTH THAT

23 MUST BE SOLD FROM SOLAR PHOTOVOLTAIC TECHNOLOGIES IS:

24 (1) 0.0013% FOR JUNE 1, 2006, THROUGH MAY 31, 2007.

25 (2) 0.0030% FOR JUNE 1, 2007, THROUGH MAY 31, 2008.

26 (3) 0.0063% FOR JUNE 1, 2008, THROUGH MAY 31, 2009.

27 (4) 0.0120% FOR JUNE 1, 2009, THROUGH MAY 31, 2010.

28 (5) 0.0203% FOR JUNE 1, 2010, THROUGH MAY 31, 2011.

29 (6) 0.0752% FOR JUNE 1, 2011, THROUGH MAY 31, 2012.

30 (7) 0.1218% FOR JUNE 1, 2012, THROUGH MAY 31, 2013.

- 1 (8) 0.2016% FOR JUNE 1, 2013, THROUGH MAY 31, 2014.
2 (9) 0.3% FOR JUNE 1, 2014, THROUGH MAY 31, 2015.
3 (10) 0.41% FOR JUNE 1, 2015, THROUGH MAY 31, 2016.
4 (11) 0.5% FOR JUNE 1, 2016, THROUGH MAY 31, 2017.
5 (12) 0.62% FOR JUNE 1, 2017, THROUGH MAY 31, 2018.
6 (13) 0.75% FOR JUNE 1, 2018, THROUGH MAY 31, 2019.
7 (14) 0.97% FOR JUNE 1, 2019, THROUGH MAY 31, 2020.
8 (15) 1.35% FOR JUNE 1, 2020, THROUGH MAY 31, 2021.
9 (16) 1.5% FOR JUNE 1, 2021, AND THEREAFTER.

10 § 2817. ALTERNATIVE COMPLIANCE PAYMENTS.

11 THE ALTERNATIVE COMPLIANCE PAYMENT ESTABLISHED UNDER SECTION
12 3(F) OF THE ACT OF NOVEMBER 30, 2004 (P.L.1672, NO.213), KNOWN
13 AS THE ALTERNATIVE ENERGY PORTFOLIO STANDARDS ACT, FOR THE SOLAR
14 ALTERNATIVE SHARE SHALL BE:

15 (1) \$260 PER MEGAWATT HOUR PER YEAR FOR JUNE 1, 2011,
16 THROUGH MAY 31, 2016.

17 (2) \$200 PER MEGAWATT HOUR PER YEAR FOR JUNE 1, 2016,
18 THROUGH MAY 31, 2018.

19 (3) \$140 PER MEGAWATT HOUR PER YEAR FOR JUNE 1, 2018,
20 THROUGH MAY 31, 2021.

21 (4) \$45 PER MEGAWATT HOUR PER YEAR FOR JUNE 1, 2021, AND
22 THEREAFTER.

23 SECTION 2. SECTION 3301(C) OF TITLE 66 IS AMENDED TO READ:

24 § 3301. Civil penalties for violations.

25 * * *

26 (c) Gas pipeline safety violations.--Any person or
27 corporation, defined as a public utility in this part, who
28 violates any provisions of this part governing the safety of
29 pipeline or conduit facilities in the transportation of natural
30 gas, flammable gas, or gas which is toxic or corrosive, or of

1 any regulation or order issued thereunder, shall be subject to a
2 civil penalty [of] not to exceed [\$10,000] \$100,000 for each
3 violation for each day that the violation persists, except that
4 the maximum civil penalty shall not exceed [\$500,000] \$1,000,000
5 for any related series of violations.

6 * * *

7 ~~Section 2. This act shall take effect in 60 days.~~ ←

8 SECTION 3. THIS ACT SHALL TAKE EFFECT AS FOLLOWS: ←

9 (1) THE AMENDMENT OF 66 PA.C.S. § 3301(C) SHALL TAKE
10 EFFECT IN 60 DAYS.

11 (2) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT
12 IMMEDIATELY.