
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2633 Session of
2020

INTRODUCED BY HEFFLEY, BURNS, MILLARD, PYLE, LONGIETTI, IRVIN,
MASSER, RIGBY, KORTZ, SANKEY, BERNSTINE AND GABLER,
JUNE 29, 2020

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
JUNE 29, 2020

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 providing for location of Tier II sources.

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

11 Section 1. The act of November 30, 2004 (P.L.1672, No.213),
12 known as the Alternative Energy Portfolio Standards Act, is
13 amended by adding a section to read:

14 Section 4.1. Location of Tier II sources.

15 (a) General rule.--Notwithstanding the provisions of section
16 4, in order to qualify as an alternative energy source eligible
17 under section 3(c) and to qualify for Tier II alternative energy
18 portfolio credits, a Tier II source must:

19 (1) directly deliver the electricity generated by the
20 Tier II source to a retail customer of an electric

1 distribution company or to the distribution system operated
2 by an electric distribution company operating within this
3 Commonwealth and currently obligated to meet the compliance
4 requirements contained in this act;

5 (2) be directly connected to the electric system of an
6 electric cooperative or municipal electric system operating
7 within this Commonwealth; or

8 (3) connect directly to the electric transmission system
9 at a location that is within the service territory of an
10 electric distribution company operating within this
11 Commonwealth.

12 (b) Construction.--Nothing in section 4 or this section
13 shall be construed to affect:

14 (1) A certification originating within the geographical
15 boundaries of this Commonwealth granted prior to the
16 effective date of this section of a Tier II energy generator
17 as a qualifying alternative energy source eligible to meet
18 the Tier II share of the alternative energy portfolio
19 compliance requirements in this act.

20 (2) Certification of a Tier II source with a binding
21 written contract for the sale and purchase of alternative
22 energy credits derived from Tier II energy sources entered
23 into prior to the effective date of this section for the
24 remaining term of the contract as of the effective date of
25 this section.

26 (c) Applicability--This section shall apply to contracts
27 entered into or renewed on or after the effective date of this
28 section.

29 Section 2. This act shall take effect immediately.