

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1531 Session of
2021

INTRODUCED BY QUINN, JUNE 3, 2021

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, JUNE 3, 2021

AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania
2 Consolidated Statutes, in restructuring of electric utility
3 industry, providing for requisite procurement.

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

6 Section 1. Title 66 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 2816. Requisite procurement.

9 (a) Class I procurement.--In addition to existing Federal or
10 State obligations in existence on the effective date of this
11 section, an electric distribution company shall ensure that
12 electricity provided to all customers is attributable to Class I
13 sources in the following amounts:

14 (1) For June 1, 2021, through May 31, 2022, 0.75%.

15 (2) For June 1, 2022, through May 31, 2023, 1.5%.

16 (3) For June 1, 2023, through May 31, 2024, 3%.

17 (4) For June 1, 2024, through May 31, 2025, 4.75%.

18 (5) For June 1, 2025, through May 31, 2026, 6%.

19 (6) For June 1, 2026, through May 31, 2027, 6.25%.

1 (7) For June 1, 2027, through May 31, 2028, 6.45%.

2 (8) For June 1, 2028, through May 31, 2029, 6.7%.

3 (9) For June 1, 2029, and thereafter, 7%.

4 (b) Solar photovoltaic procurement.--In addition to Federal
5 or State obligations in existence on the effective date of this
6 section, an electric distribution company shall ensure that
7 electricity provided to all customers is attributable to
8 customer-generator solar photovoltaic technologies in the
9 following amounts:

10 (1) For June 1, 2021, through May 31, 2022, 0.2%.

11 (2) For June 1, 2022, through May 31, 2023, 0.45%.

12 (3) For June 1, 2023, through May 31, 2024, 0.7%.

13 (4) For June 1, 2024, through May 31, 2025, 0.9%.

14 (5) For June 1, 2025, through May 31, 2026, 1.1%.

15 (6) For June 1, 2026, through May 31, 2027, 1.35%.

16 (7) For June 1, 2027, through May 31, 2028, 1.6%.

17 (8) For June 1, 2028, through May 31, 2029, 1.8%.

18 (9) For June 1, 2029, and thereafter, 2%.

19 (c) Fulfillment.--The obligations under subsections (a) and
20 (b) shall be fulfilled using systems and methods in existence on
21 the effective date of this section for attributing credits for
22 State-mandated alternative energy requirements to facilitate
23 implementation of this section.

24 (d) Alternative compliance payment.--Beginning with
25 reporting year 2022, the alternative compliance payment required
26 for each megawatt hour of shortfall for the customer-generator
27 solar photovoltaic technologies specified under subsection (b)
28 and under the act of November 30, 2004 (P.L.1672, No.213), known
29 as the Alternative Energy Portfolio Standards Act, shall be the
30 following in each reporting year:

- 1 (1) For reporting years 2022 through 2025, \$125.
- 2 (2) For reporting years 2026 through 2029, \$120.
- 3 (3) For reporting years 2030 through 2033, \$115.
- 4 (4) For reporting year 2034, \$100.
- 5 (5) An annually decreasing amount that is \$5 less than
6 the previous reporting year starting in reporting year 2035
7 and culminating in \$40 for reporting year 2046 and
8 thereafter.

9 (e) Definitions.--As used in this section, the following
10 words and phrases shall have the meanings given to them in this
11 subsection unless the context clearly indicates otherwise:

12 "Class I sources." Energy derived from:

- 13 (1) Solar photovoltaic and solar thermal energy.
- 14 (2) Wind power.
- 15 (3) Low-impact hydropower.
- 16 (4) Geothermal energy.
- 17 (5) Biologically derived methane gas.
- 18 (6) Fuel cells.
- 19 (7) Biomass energy.
- 20 (8) Coal mine methane.

21 "Customer-generator." A nonutility owner or operator of a
22 net metered distributed generation system consisting of solar
23 photovoltaic technologies with a nameplate capacity of not
24 greater than 50 kilowatts if installed at a residential service
25 or not larger than 3,000 kilowatts at other customer service
26 locations. The term includes noncustomer-generator solar
27 photovoltaic technologies that were certified before June 1,
28 2021, and qualify to generate solar alternative energy credits
29 under the Alternative Energy Portfolio Standards Act. The term
30 does not include customers whose systems are above three

1 megawatts and up to five megawatts that make their systems
2 available to operate in parallel with the electric utility
3 during grid emergencies as defined by the regional transmission
4 organization or if a microgrid is in place for the primary or
5 secondary purpose of maintaining critical infrastructure,
6 including homeland security assignments, emergency services
7 facilities, hospitals, traffic signals, wastewater treatment
8 plants or telecommunications facilities, if technical rules for
9 operating generators interconnected with facilities of an
10 electric distribution company, electric cooperative or municipal
11 electric system have been promulgated by the Institute of
12 Electrical and Electronic Engineers and the commission.

13 Section 2. This act shall take effect immediately.