

SHB 1854 - S COMM AMD

By Committee on Natural Resources, Energy & Water

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 43.52 RCW
4 to read as follows:

5 A city or district may contract to purchase from an operating
6 agency electric power and energy required for its present or future
7 requirements. For projects the output of which is limited to qualified
8 alternative energy resources as defined by RCW 19.29A.090(3), the
9 contract may include the purchase of capability of the projects to
10 produce electricity in addition to the actual output of the projects.
11 The contract may provide that the city or district must make the
12 payments required by the contract whether or not a project is
13 completed, operable, or operating and notwithstanding the suspension,
14 interruption, interference, reduction, or curtailment of the output of
15 a project or the power and energy contracted for. The contract may
16 also provide that payments under the contract are not subject to
17 reduction, whether by offset or otherwise, and shall not be conditioned
18 upon the performance or nonperformance of the operating agency or a
19 city or district under the contract or other instrument.

20 NEW SECTION. **Sec. 2.** A new section is added to chapter 54.16 RCW
21 to read as follows:

22 A district may contract to purchase from a joint operating agency
23 electric power and energy required for its present or future
24 requirements. For projects the output of which is limited to qualified
25 alternative energy resources as defined by RCW 19.29A.090(3), the
26 contract may include the purchase of capability of the projects to
27 produce electricity in addition to the actual output of the projects.
28 The contract may provide that the district must make the payments
29 required by the contract whether or not a project is completed,

1 operable, or operating and notwithstanding the suspension,
2 interruption, interference, reduction, or curtailment of the output of
3 a project or the power and energy contracted for. The contract may
4 also provide that payments under the contract are not subject to
5 reduction, whether by offset or otherwise, and shall not be conditioned
6 upon the performance or nonperformance of the joint operating agency or
7 a city, town, or district under the contract or other instrument.

8 NEW SECTION. **Sec. 3.** A new section is added to chapter 35.92 RCW
9 to read as follows:

10 A city or town may contract to purchase from a joint operating
11 agency electric power and energy required for its present or future
12 requirements. For projects the output of which is limited to qualified
13 alternative energy resources as defined by RCW 19.29A.090(3), the
14 contract may include the purchase of capability of the projects to
15 produce electricity in addition to the actual output of the projects.
16 The contract may provide that the city or town must make the payments
17 required by the contract whether or not a project is completed,
18 operable, or operating and notwithstanding the suspension,
19 interruption, interference, reduction, or curtailment of the output of
20 a project or the power and energy contracted for. The contract may
21 also provide that payments under the contract are not subject to
22 reduction, whether by offset or otherwise, and shall not be conditioned
23 upon the performance or nonperformance of the joint operating agency or
24 a city, town, or public utility district under the contract or other
25 instrument.

26 NEW SECTION. **Sec. 4.** A new section is added to chapter 35.22 RCW
27 to read as follows:

28 A city of the first class may contract to purchase from a joint
29 operating agency electric power and energy required for its present or
30 future requirements. For projects the output of which is limited to
31 qualified alternative energy resources as defined by RCW 19.29A.090(3),
32 the contract may include the purchase of capability of the projects to
33 produce electricity in addition to the actual output of the projects.
34 The contract may provide that the city must make the payments required
35 by the contract whether or not a project is completed, operable, or

1 operating and notwithstanding the suspension, interruption,
2 interference, reduction, or curtailment of the output of a project or
3 the power and energy contracted for. The contract may also provide
4 that payments under the contract are not subject to reduction, whether
5 by offset or otherwise, and shall not be conditioned upon the
6 performance or nonperformance of the joint operating agency or a city,
7 town, or public utility district under the contract or other
8 instrument.

9 NEW SECTION. **Sec. 5.** A new section is added to chapter 35.23 RCW
10 to read as follows:

11 A city of the second class may contract to purchase from a joint
12 operating agency electric power and energy required for its present or
13 future requirements. For projects the output of which is limited to
14 qualified alternative energy resources as defined by RCW 19.29A.090(3),
15 the contract may include the purchase of capability of the projects to
16 produce electricity in addition to the actual output of the projects.
17 The contract may provide that the city must make the payments required
18 by the contract whether or not a project is completed, operable, or
19 operating and notwithstanding the suspension, interruption,
20 interference, reduction, or curtailment of the output of a project or
21 the power and energy contracted for. The contract may also provide
22 that payments under the contract are not subject to reduction, whether
23 by offset or otherwise, and shall not be conditioned upon the
24 performance or nonperformance of the joint operating agency or a city,
25 town, or public utility district under the contract or other
26 instrument.

27 NEW SECTION. **Sec. 6.** A new section is added to chapter 35.27 RCW
28 to read as follows:

29 A town may contract to purchase from a joint operating agency
30 electric power and energy required for its present or future
31 requirements. For projects the output of which is limited to qualified
32 alternative energy resources as defined by RCW 19.29A.090(3), the
33 contract may include the purchase of capability of the projects to
34 produce electricity in addition to the actual output of the projects.
35 The contract may provide that the town must make the payments required

1 by the contract whether or not a project is completed, operable, or
2 operating and notwithstanding the suspension, interruption,
3 interference, reduction, or curtailment of the output of a project or
4 the power and energy contracted for. The contract may also provide
5 that payments under the contract are not subject to reduction, whether
6 by offset or otherwise, and shall not be conditioned upon the
7 performance or nonperformance of the joint operating agency or a city,
8 town, or public utility district under the contract or other
9 instrument.

10 NEW SECTION. **Sec. 7.** A new section is added to chapter 35A.80 RCW
11 to read as follows:

12 A code city may contract to purchase from a joint operating agency
13 electric power and energy required for its present or future
14 requirements. For projects the output of which is limited to qualified
15 alternative energy resources as defined by RCW 19.29A.090(3), the
16 contract may include the purchase of capability of the projects to
17 produce electricity in addition to the actual output of the projects.
18 The contract may provide that the code city must make the payments
19 required by the contract whether or not a project is completed,
20 operable, or operating and notwithstanding the suspension,
21 interruption, interference, reduction, or curtailment of the output of
22 a project or the power and energy contracted for. The contract may
23 also provide that payments under the contract are not subject to
24 reduction, whether by offset or otherwise, and shall not be conditioned
25 upon the performance or nonperformance of the joint operating agency or
26 a city, town, or public utility district under the contract or other
27 instrument."

SHB 1854 - S COMM AMD
By Committee on Natural Resources, Energy & Water

28 On page 1, line 1 of the title, after "agencies;" strike the
29 remainder of the title and insert "adding a new section to chapter

1 43.52 RCW; adding a new section to chapter 54.16 RCW; adding a new
2 section to chapter 35.92 RCW; adding a new section to chapter 35.22
3 RCW; adding a new section to chapter 35.23 RCW; adding a new section to
4 chapter 35.27 RCW; and adding a new section to chapter 35A.80 RCW."

--- END ---