

SHB 2664 - H AMD 938

By Representative Morris

ADOPTED 02/09/2012

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

3 "Sec. 1. RCW 19.29A.090 and 2002 c 285 s 6 and 2002 c 191 s 1 are
4 each reenacted and amended to read as follows:

5 (1) Beginning January 1, 2002, each electric utility must provide
6 to its retail electricity customers a voluntary option to purchase
7 qualified alternative energy resources in accordance with this section.

8 (2) Each electric utility must include with its retail electric
9 customer's regular billing statements, at least quarterly, a voluntary
10 option to purchase qualified alternative energy resources. The option
11 may allow customers to purchase qualified alternative energy resources
12 at fixed or variable rates and for fixed or variable periods of time,
13 including but not limited to monthly, quarterly, or annual purchase
14 agreements. A utility may provide qualified alternative energy
15 resource options through either: (a) Resources it owns or contracts
16 for; or (b) the purchase of credits issued by a clearinghouse or other
17 system by which the utility may secure, for trade or other
18 consideration, verifiable evidence that a second party has a qualified
19 alternative energy resource and that the second party agrees to
20 transfer such evidence exclusively to the benefit of the utility.

21 (3) For the purposes of this section, a "qualified alternative
22 energy resource" means the electricity or thermal energy produced from
23 generation facilities that are fueled by: (a) Wind; (b) solar energy;
24 (c) geothermal energy; (d) landfill gas; (e) wave or tidal action; (f)
25 gas produced during the treatment of wastewater; (g) qualified
26 hydropower; or (h) biomass energy based on animal waste or solid
27 organic fuels from wood, forest, or field residues, or dedicated energy
28 crops that do not include wood pieces that have been treated with
29 chemical preservatives such as creosote, pentachlorophenol, or
30 copper-chrome-arsenic.

1 (4) For the purposes of this section, "qualified hydropower" means
2 the energy produced either: (a) As a result of modernizations or
3 upgrades made after June 1, 1998, to hydropower facilities operating on
4 May 8, 2001, that have been demonstrated to reduce the mortality of
5 anadromous fish; or (b) by run of the river or run of the canal
6 hydropower facilities that are not responsible for obstructing the
7 passage of anadromous fish.

8 (5) The rates, terms, conditions, and customer notification of each
9 utility's option or options offered in accordance with this section
10 must be approved by the governing body of the consumer-owned utility or
11 by the commission for investor-owned utilities. All costs and benefits
12 associated with any option offered by an electric utility under this
13 section must be allocated to the customers who voluntarily choose that
14 option and may not be shifted to any customers who have not chosen such
15 option. Utilities may pursue known, lawful aggregated purchasing of
16 qualified alternative energy resources with other utilities to the
17 extent aggregated purchasing can reduce the unit cost of qualified
18 alternative energy resources, and are encouraged to investigate
19 opportunities to aggregate the purchase of alternative energy resources
20 by their customers. Aggregated purchases by investor-owned utilities
21 must comply with any applicable rules or policies adopted by the
22 commission related to least-cost planning or the acquisition of
23 renewable resources.

24 (6) Each consumer-owned utility must ~~((report annually to))~~
25 maintain and make available upon request of the department and each
26 investor-owned utility must ~~((report annually to))~~ maintain and make
27 available upon request of the commission ~~((beginning October 1, 2002,~~
28 ~~until October 1, 2012,))~~ information describing the option or options
29 it is offering its customers under the requirements of this section,
30 the rate of customer participation, the amount of qualified alternative
31 energy resources purchased by customers, the amount of utility
32 investments in qualified alternative energy resources, and the results
33 of pursuing aggregated purchasing opportunities. The department and
34 the commission ~~((together shall report annually to the legislature,~~
35 ~~beginning December 1, 2002, until December 1, 2012, with the results of~~
36 ~~the utility reports))~~ shall report the information to the appropriate
37 committees of the legislature upon request."

1 Correct the title.

EFFECT: Removes annual reporting requirements for electric utilities relating to the voluntary option to purchase qualified alternative energy resources (voluntary option). Requires electric utilities to maintain information relating to the voluntary option and make available the information upon request of the department of commerce or the utilities and transportation commission. Provides that upon request the department and commission must report the information to the appropriate committees of the legislature.

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