

SB 5575 - S AMD 62

By Senator Nelson

WITHDRAWN 03/03/2011

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

3 "**Sec. 1.** RCW 19.285.030 and 2009 c 565 s 20 are each amended to
4 read as follows:

5 The definitions in this section apply throughout this chapter
6 unless the context clearly requires otherwise.

7 (1) "Attorney general" means the Washington state office of the
8 attorney general.

9 (2) "Auditor" means: (a) The Washington state auditor's office or
10 its designee for qualifying utilities under its jurisdiction that are
11 not investor-owned utilities; or (b) an independent auditor selected by
12 a qualifying utility that is not under the jurisdiction of the state
13 auditor and is not an investor-owned utility.

14 (3) "Commission" means the Washington state utilities and
15 transportation commission.

16 (4) "Conservation" means any reduction in electric power
17 consumption resulting from increases in the efficiency of energy use,
18 production, or distribution.

19 (5) "Cost-effective" has the same meaning as defined in RCW
20 80.52.030.

21 (6) "Council" means the Washington state apprenticeship and
22 training council within the department of labor and industries.

23 (7) "Customer" means a person or entity that purchases electricity
24 for ultimate consumption and not for resale.

25 (8) "Department" means the department of commerce or its successor.

26 (9) "Distributed generation" means an eligible renewable resource
27 where the generation facility or any integrated cluster of such
28 facilities has a generating capacity of not more than five megawatts.

29 (10) "Eligible renewable resource" means:

1 (a) Electricity from a generation facility powered by a renewable
2 resource other than fresh water that commences operation after March
3 31, 1999, where: (i) The facility is located in the Pacific Northwest;
4 or (ii) the electricity from the facility is delivered into Washington
5 state on a real-time basis without shaping, storage, or integration
6 services; or

7 (b) Incremental electricity produced as a result of efficiency
8 improvements completed after March 31, 1999, to hydroelectric
9 generation projects owned by a qualifying utility and located in the
10 Pacific Northwest or to hydroelectric generation in irrigation pipes
11 and canals located in the Pacific Northwest, where the additional
12 generation in either case does not result in new water diversions or
13 impoundments.

14 (11) "Investor-owned utility" has the same meaning as defined in
15 RCW 19.29A.010.

16 (12) "Load" means the amount of kilowatt-hours of electricity
17 delivered in the most recently completed year by a qualifying utility
18 to its Washington retail customers.

19 (13) "Nonpower attributes" means all environmentally related
20 characteristics, exclusive of energy, capacity reliability, and other
21 electrical power service attributes, that are associated with the
22 generation of electricity from a renewable resource, including but not
23 limited to the facility's fuel type, geographic location, vintage,
24 qualification as an eligible renewable resource, and avoided emissions
25 of pollutants to the air, soil, or water, and avoided emissions of
26 carbon dioxide and other greenhouse gases.

27 (14) "Pacific Northwest" has the same meaning as defined for the
28 Bonneville power administration in section 3 of the Pacific Northwest
29 electric power planning and conservation act (94 Stat. 2698; 16 U.S.C.
30 Sec. 839a).

31 (15) "Public facility" has the same meaning as defined in RCW
32 39.35C.010.

33 (16) "Qualifying utility" means an electric utility, as the term
34 "electric utility" is defined in RCW 19.29A.010, that serves more than
35 twenty-five thousand customers in the state of Washington. The number
36 of customers served may be based on data reported by a utility in form
37 861, "annual electric utility report," filed with the energy
38 information administration, United States department of energy.

1 (17) "Renewable energy credit" means a tradable certificate of
2 proof of at least one megawatt-hour of an eligible renewable resource
3 where the generation facility is not powered by fresh water, the
4 certificate includes all of the nonpower attributes associated with
5 that one megawatt-hour of electricity, and the certificate is verified
6 by a renewable energy credit tracking system selected by the
7 department.

8 (18) "Renewable resource" means: (a) Water; (b) wind; (c) solar
9 energy; (d) geothermal energy; (e) landfill gas; (f) wave, ocean, or
10 tidal power; (g) gas from sewage treatment facilities; (h) biodiesel
11 fuel as defined in RCW 82.29A.135 that is not derived from crops raised
12 on land cleared from old growth or first-growth forests where the
13 clearing occurred after December 7, 2006; and (i) biomass energy
14 (~~(based on animal waste or solid organic fuels from wood, forest, or~~
15 ~~field residues, or dedicated energy crops that do not include (i) wood~~
16 ~~pieces that have been treated with chemical preservatives such as~~
17 ~~creosote, pentachlorophenol, or copper-chrome-arsenic; (ii) black~~
18 ~~liquor by-product from paper production; (iii) wood from old growth~~
19 ~~forests; or (iv) municipal solid waste)).~~

20 (19) "Rule" means rules adopted by an agency or other entity of
21 Washington state government to carry out the intent and purposes of
22 this chapter.

23 (20) "Year" means the twelve-month period commencing January 1st
24 and ending December 31st.

25 (21)(a) "Biomass energy" includes: (i) By-products of pulping and
26 wood manufacturing process; (ii) animal waste; (iii) solid organic
27 fuels from wood; (iv) forest or field residues; (v) wooden demolition
28 or construction debris; (vi) food waste; (vii) liquors derived from
29 algae and other sources; (viii) dedicated energy crops; (ix) biosolids;
30 and (x) yard waste.

31 (b) "Biomass energy" does not include wood pieces that have been
32 treated with chemical preservatives such as: (i) Creosote,
33 pentachlorophenol, or copper-chrome-arsenic; (ii) wood from old growth
34 forests; or (iii) municipal solid waste."

WITHDRAWN 03/03/2011

1 On page 1, beginning on line 5 of the title, after "resource;"
2 strike the remainder of the title and insert "and amending RCW
3 19.285.030."

EFFECT: Strikes the underlying bill. Removes the types of fuels
that qualify as biomass energy from the definition of renewable
resources and creates a separate definition of biomass energy.

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