
HOUSE BILL 1515

State of Washington 62nd Legislature 2011 Regular Session

By Representatives Morris, Short, Crouse, Takko, and McCune

Read first time 01/25/11. Referred to Committee on Environment.

1 AN ACT Relating to recognizing eligible renewable resources and
2 renewable energy credits from the boundaries of the western electricity
3 coordinating council; and amending RCW 19.285.030.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

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

7 The definitions in this section apply throughout this chapter
8 unless the context clearly requires otherwise.

9 (1) "Attorney general" means the Washington state office of the
10 attorney general.

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

16 (3) "Commission" means the Washington state utilities and
17 transportation commission.

18 (4) "Conservation" means any reduction in electric power

1 consumption resulting from increases in the efficiency of energy use,
2 production, or distribution.

3 (5) "Cost-effective" has the same meaning as defined in RCW
4 80.52.030.

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

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

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

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

13 (10) "Eligible renewable resource" means:

14 (a) Electricity from a generation facility powered by a renewable
15 resource other than fresh water that commences operation after March
16 31, 1999, where: (i) The facility is located (~~(in the Pacific~~
17 ~~Northwest)) within the geographic boundaries of the western electricity
18 coordinating council; or (ii) the electricity from the facility is
19 delivered into Washington state on a real-time basis without shaping,
20 storage, or integration services; or~~

21 (b) Incremental electricity produced as a result of efficiency
22 improvements completed after March 31, 1999, to hydroelectric
23 generation projects owned by a qualifying utility and located in the
24 Pacific Northwest or to hydroelectric generation in irrigation pipes
25 and canals located in the Pacific Northwest, where the additional
26 generation in either case does not result in new water diversions or
27 impoundments.

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

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

33 (13) "Nonpower attributes" means all environmentally related
34 characteristics, exclusive of energy, capacity reliability, and other
35 electrical power service attributes, that are associated with the
36 generation of electricity from a renewable resource, including but not
37 limited to the facility's fuel type, geographic location, vintage,

1 qualification as an eligible renewable resource, and avoided emissions
2 of pollutants to the air, soil, or water, and avoided emissions of
3 carbon dioxide and other greenhouse gases.

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

8 (15) "Public facility" has the same meaning as defined in RCW
9 39.35C.010.

10 (16) "Qualifying utility" means an electric utility, as the term
11 "electric utility" is defined in RCW 19.29A.010, that serves more than
12 twenty-five thousand customers in the state of Washington. The number
13 of customers served may be based on data reported by a utility in form
14 861, "annual electric utility report," filed with the energy
15 information administration, United States department of energy.

16 (17) "Renewable energy credit" means a tradable certificate of
17 proof of at least one megawatt-hour of an eligible renewable resource
18 where the generation facility is not powered by fresh water, the
19 certificate includes all of the nonpower attributes associated with
20 that one megawatt-hour of electricity, and the certificate is verified
21 by a renewable energy credit tracking system selected by the
22 department.

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

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

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

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