

ESHB 1950 - S COMM AMD

By Committee on Energy, Environment & Telecommunications

NOT CONSIDERED

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

3 "Sec. 1. RCW 19.285.030 and 2012 c 22 s 2 are each reenacted and  
4 amended to 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)(a) "Biomass energy" includes: (i) Organic by-products of  
15 pulping and the wood manufacturing process; (ii) animal manure; (iii)  
16 solid organic fuels from wood; (iv) forest or field residues; (v)  
17 untreated wooden demolition or construction debris; (vi) food waste and  
18 food processing residuals; (vii) liquors derived from algae; (viii)  
19 dedicated energy crops; and (ix) yard waste.

20 (b) "Biomass energy" does not include: (i) Wood pieces that have  
21 been treated with chemical preservatives such as creosote,  
22 pentachlorophenol, or copper-chrome-arsenic; (ii) wood from old growth  
23 forests; or (iii) municipal solid waste.

24 (4) "Commission" means the Washington state utilities and  
25 transportation commission.

26 (5) "Conservation" means any reduction in electric power  
27 consumption resulting from increases in the efficiency of energy use,  
28 production, or distribution.

29 (6) "Cost-effective" has the same meaning as defined in RCW  
30 80.52.030.

1 (7) "Council" means the Washington state apprenticeship and  
2 training council within the department of labor and industries.

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

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

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

9 (11) "Eligible renewable resource" means:

10 (a) Electricity from a generation facility powered by a renewable  
11 resource other than freshwater that commences operation after March 31,  
12 1999, where: (i) The facility is located in the Pacific Northwest; or  
13 (ii) the electricity from the facility is delivered into Washington  
14 state on a real-time basis without shaping, storage, or integration  
15 services;

16 (b) Incremental electricity produced as a result of efficiency  
17 improvements completed after March 31, 1999, to hydroelectric  
18 generation projects owned by a qualifying utility and located in the  
19 Pacific Northwest (~~(or to hydroelectric generation in irrigation pipes~~  
20 ~~and canals located in the Pacific Northwest,)) where the additional  
21 generation (~~(in either case)~~) does not result in new water diversions  
22 or impoundments; (~~and~~)~~

23 (c) A qualifying utility's proportionate share of incremental  
24 electricity produced as a result of efficiency improvements completed  
25 after March 31, 1999, to hydroelectric generation projects located in  
26 the Pacific Northwest, where the electricity is marketed by the  
27 Bonneville power administration, and where the additional generation  
28 does not result in new water diversions or impoundments;

29 (d) Hydroelectric generation from a project in Washington that does  
30 not result in new water diversions or impoundments and is completed  
31 after March 31, 1999, where the generation facility is located in or  
32 adjacent to, and uses and returns only water from: (i) Irrigation  
33 pipes or irrigation canals operated by an irrigation district or canal  
34 company; (ii) water pipes whose primary purpose is for conveyance of  
35 water for domestic, municipal, or industrial use; and (iii) wastewater  
36 pipes; or

37 (e) Qualified biomass energy.

1 (12) "Investor-owned utility" has the same meaning as defined in  
2 RCW 19.29A.010.

3 (13) "Load" means the amount of kilowatt-hours of electricity  
4 delivered in the most recently completed year by a qualifying utility  
5 to its Washington retail customers.

6 (14) "Nonpower attributes" means all environmentally related  
7 characteristics, exclusive of energy, capacity reliability, and other  
8 electrical power service attributes, that are associated with the  
9 generation of electricity from a renewable resource, including but not  
10 limited to the facility's fuel type, geographic location, vintage,  
11 qualification as an eligible renewable resource, and avoided emissions  
12 of pollutants to the air, soil, or water, and avoided emissions of  
13 carbon dioxide and other greenhouse gases.

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

18 (16) "Public facility" has the same meaning as defined in RCW  
19 39.35C.010.

20 (17) "Qualified biomass energy" means electricity produced from a  
21 biomass energy facility that: (a) Commenced operation before March 31,  
22 1999; (b) contributes to the qualifying utility's load; and (c) is  
23 owned either by: (i) A qualifying utility; or (ii) an industrial  
24 facility that is directly interconnected with electricity facilities  
25 that are owned by a qualifying utility and capable of carrying  
26 electricity at transmission voltage.

27 (18) "Qualifying utility" means an electric utility, as the term  
28 "electric utility" is defined in RCW 19.29A.010, that serves more than  
29 twenty-five thousand customers in the state of Washington. The number  
30 of customers served may be based on data reported by a utility in form  
31 861, "annual electric utility report," filed with the energy  
32 information administration, United States department of energy.

33 (19) "Renewable energy credit" means a tradable certificate of  
34 proof of at least one megawatt-hour of an eligible renewable resource  
35 where the generation facility is not powered by freshwater. The  
36 certificate includes all of the nonpower attributes associated with  
37 that one megawatt-hour of electricity, and the certificate is verified

1 by a renewable energy credit tracking system selected by the  
2 department.

3 (20) "Renewable resource" means: (a) Water; (b) wind; (c) solar  
4 energy; (d) geothermal energy; (e) landfill gas; (f) wave, ocean, or  
5 tidal power; (g) gas from sewage treatment facilities; (h) biodiesel  
6 fuel as defined in RCW 82.29A.135 that is not derived from crops raised  
7 on land cleared from old growth or first-growth forests where the  
8 clearing occurred after December 7, 2006; or (i) biomass energy.

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

12 (22) "Year" means the twelve-month period commencing January 1st  
13 and ending December 31st."

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14 On page 1, line 1 of the title, after "Relating to" strike the  
15 remainder of the title and insert "designating certain hydroelectric  
16 generation as an eligible renewable resource under chapter 19.285 RCW;  
17 and reenacting and amending RCW 19.285.030."

EFFECT: Adds water pipes primarily used for the conveyance of  
water for municipal or industrial uses. Limits hydroelectric  
generation facilities in irrigation pipes and canals to those owned by  
irrigation districts or canal companies. Requires qualifying  
hydroelectric generation facilities to be located in or adjacent to a  
pipe or canal. Limits qualifying hydroelectric generation facilities  
to those that use and return only water to a pipe or canal. Adds  
federal incremental hydroelectricity marketed by the Bonneville power  
administration. Amends the title.

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