



January 19, 2022

SENATE BILL No. 147

DIGEST OF SB 147 (Updated January 13, 2022 12:06 pm - DI 140)

Citations Affected: IC 8-1.

Synopsis: Underground pumped storage hydropower. Adds underground pumped storage hydropower using: (1) abandoned coal mines; (2) abandoned quarries; or (3) other suitable sites; located in Indiana to the list of sources and technologies that qualify as "clean energy resources" for purposes of the statute governing the Indiana voluntary clean energy portfolio standard program. Provides that this technology qualifies as a "renewable energy resource" for purposes of the statute providing certain financial incentives for energy utilities to invest in clean energy projects. Requires the state utility forecasting group to include this technology in its annual study on the use, availability, and economics of clean energy resources in Indiana.

Effective: July 1, 2022.

Koch

January 4, 2022, read first time and referred to Committee on Utilities.
January 18, 2022, reported favorably — Do Pass.

SB 147—LS 6357/DI 101



January 19, 2022

Second Regular Session of the 122nd General Assembly (2022)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2021 Regular Session of the General Assembly.

SENATE BILL No. 147

A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 8-1-8.8-10, AS AMENDED BY P.L.13-2013,
2 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2022]: Sec. 10. (a) As used in this chapter "renewable energy
4 resources" means the following:
5 (1) A clean energy resource listed in:
6 (A) IC 8-1-37-4(a)(1) through IC 8-1-37-4(a)(16); or
7 (B) **IC 8-1-37-4(a)(22)**.
8 (2) Low temperature, oxygen starved gasification of municipal
9 solid waste.
10 (3) Methane recovered from landfills for the production of
11 electricity.
12 (b) Except for energy described in subsection (a)(2) and
13 IC 8-1-37-4(a)(9), the term does not include energy from the
14 incinerations, burning, or heating of any of the following:
15 (1) Tires.
16 (2) General household, institutional, commercial, industrial
17 lunchroom, office, or landscape waste.

SB 147—LS 6357/DI 101



1 (c) The term excludes treated or painted lumber.

2 SECTION 2. IC 8-1-8.8-14, AS AMENDED BY P.L.53-2014,
3 SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2022]: Sec. 14. The group shall conduct an annual study on
5 the:

- 6 (1) use of;
7 (2) availability of; and
8 (3) economics of using;

9 in Indiana the clean energy resources listed in IC 8-1-37-4(a)(1)
10 through IC 8-1-37-4(a)(6) **and in IC 8-1-37-4(a)(22)**. The commission
11 may direct the group to study additional clean energy resources as the
12 commission considers appropriate. Each year, the group shall submit
13 a report on the study to the commission for inclusion in the
14 commission's annual report to the interim study committee on energy,
15 utilities, and telecommunications established by IC 2-5-1.3-4 in an
16 electronic format under IC 5-14-6. The commission shall direct the
17 group concerning the appropriate level of detail for the report. The
18 report must include suggestions from the group to encourage the
19 development and use of clean energy resources and technologies
20 appropriate for use in Indiana.

21 SECTION 3. IC 8-1-37-4, AS ADDED BY P.L.150-2011,
22 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
23 JULY 1, 2022]: Sec. 4. (a) As used in this chapter, "clean energy
24 resource" means any of the following sources, clean sources,
25 alternative technologies, or programs used in connection with the
26 production or conservation of electricity:

- 27 (1) Energy from wind.
28 (2) Solar energy.
29 (3) Photovoltaic cells and panels.
30 (4) Dedicated crops grown for energy production.
31 (5) Organic waste biomass, including any of the following organic
32 matter that is available on a renewable basis:
33 (A) Agricultural crops.
34 (B) Agricultural wastes and residues.
35 (C) Wood and wood wastes, including the following:
36 (i) Wood residues.
37 (ii) Forest thinnings.
38 (iii) Mill residue wood.
39 (D) Animal wastes.
40 (E) Animal byproducts.
41 (F) Aquatic plants.
42 (G) Algae.



- 1 (6) Hydropower.
 2 (7) Fuel cells.
 3 (8) Hydrogen.
 4 (9) Energy from waste to energy facilities, including energy
 5 derived from advanced solid waste conversion technologies.
 6 (10) Energy storage systems or technologies.
 7 (11) Geothermal energy.
 8 (12) Coal bed methane.
 9 (13) Industrial byproduct technologies that use fuel or energy that
 10 is a byproduct of an industrial process.
 11 (14) Waste heat recovery from capturing and reusing the waste
 12 heat in industrial processes for heating or for generating
 13 mechanical or electrical work.
 14 (15) A source, technology, or program approved by the
 15 commission and designated as a clean energy resource by a rule
 16 adopted by the commission under IC 4-22-2.
 17 (16) Demand side management or energy efficiency initiatives
 18 that:
 19 (A) reduce electricity consumption; or
 20 (B) implement load management, demand response, or energy
 21 efficiency measures designed to shift customers' electric loads
 22 from periods of higher demand to periods of lower demand;
 23 as a result of equipment installed, or customers enrolled, after
 24 January 1, 2010.
 25 (17) A clean energy project described in IC 8-1-8.8-2(1).
 26 (18) Nuclear energy.
 27 (19) Electricity that is:
 28 (A) generated by a customer owned distributed generation
 29 facility that is interconnected to the electricity supplier's
 30 distribution system in accordance with the commission's
 31 interconnection standards set forth in 170 IAC 4-4.3; and
 32 (B) supplied back to the electricity supplier for use in meeting
 33 the electricity supplier's electricity demand requirements in
 34 accordance with the commission's net metering rules set forth
 35 in 170 IAC 4-4.2.
 36 (20) Combined heat and power systems.
 37 (21) Electricity that is generated from natural gas at a facility
 38 constructed in Indiana after July 1, 2011, which displaces
 39 electricity generation from an existing coal fired generation
 40 facility.
 41 **(22) Underground pumped storage hydropower using:**
 42 **(A) abandoned coal mines;**



- 1 **(B) abandoned quarries; or**
- 2 **(C) other suitable sites;**
- 3 **located in Indiana.**
- 4 (b) Except for energy described in subsection (a)(9), the term does
- 5 not include energy from the incineration, burning, or heating of any of
- 6 the following:
- 7 (1) Tires.
- 8 (2) General household, institutional, commercial, industrial,
- 9 lunchroom, office, or landscape waste.
- 10 (c) The term excludes treated or painted lumber.



COMMITTEE REPORT

Madam President: The Senate Committee on Utilities, to which was referred Senate Bill No. 147, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to SB 147 as introduced.)

KOCH, Chairperson

Committee Vote: Yeas 9, Nays 0

