

**Representative Joel K. Briscoe** proposes the following substitute bill:

**RENEWABLE ENERGY FACILITY AMENDMENTS**

2019 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Joel K. Briscoe**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill requires a charge for metered electric service delivered to a contract customer to include a value based credit.

**Highlighted Provisions:**

This bill:

► requires a charge for metered electric service delivered to a contract customer to include a capacity credit based on the value of the hourly capacity provided by the renewable energy facility during on-peak hours.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**54-17-805**, as enacted by Laws of Utah 2012, Chapter 182

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **54-17-805** is amended to read:



26           **54-17-805. Costs associated with delivering electricity from a renewable energy**  
27 **facility to a contract customer.**

28           (1) To the extent that a renewable energy contract provides for the delivery of  
29 electricity from a renewable energy facility owned by the contract customer, the renewable  
30 energy contract shall require the contract customer to pay for the use of the qualified utility's  
31 transmission or distribution facilities at the qualified utility's applicable rates, which may  
32 include transmission costs at the qualified utility's applicable rate approved by the Federal  
33 Energy Regulatory Commission.

34           (2) To the extent that a renewable energy contract provides for the delivery of  
35 electricity from a renewable energy facility owned by a person other than the qualified utility or  
36 the contract customer, the renewable energy contract shall require the contract customer to bear  
37 all reasonably identifiable costs that the qualified utility incurs in delivering the electricity from  
38 the renewable energy facility to the contract customer, including all costs to procure and deliver  
39 electricity and for billing, administrative, and related activities, as determined by the  
40 commission.

41           (3) A qualified utility that enters a renewable energy contract shall charge a contract  
42 customer for all metered electric service delivered to the contract customer, including  
43 generation, transmission, and distribution service, at the qualified utility's applicable tariff  
44 rates, excluding:

45           (a) any kilowatt hours of electricity delivered from the renewable energy facility, based  
46 on the time of delivery, adjusted for transmission losses;

47           (b) any kilowatts of electricity delivered from the renewable energy facility that  
48 coincide with the contract customer's monthly metered kilowatt demand measurement, adjusted  
49 for transmission losses;

50           (c) any transmission and distribution service that the contract customer pays for under  
51 Subsection (1) or (2); and

52           (d) any transmission service that the contract customer provides under Subsection (2)  
53 to deliver generation from the renewable energy facility.

54           (4) Any charge for metered electric service delivered to a contract customer pursuant to  
55 Subsection (3) shall include an hourly capacity credit for the capacity provided by the  
56 renewable energy facility during on-peak hours, to be derived by dividing the otherwise

57 applicable monthly or daily capacity charge by the average number of on-peak hours in each  
58 monthly or daily measurement period, as applicable.