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S.190

Introduced by Senators Kitchel, Benning and Starr

Referred to Committee on

Date:

Subject: Public service; renewable energy programs; Standard Offer Program

Statement of purpose of bill as introduced: This bill proposes to extend the  
Standard Offer Program until 2032.

An act relating to the Standard Offer Program

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 30 V.S.A. § 8009 is amended to read:

§ 8009. BASELOAD RENEWABLE POWER PORTFOLIO  
REQUIREMENT

(a) ~~As~~ As used in this section:

(1) “Baseload renewable power” means a plant that generates electricity from renewable energy; that, during normal operation, is capable of taking all or part of the minimum load on an electric transmission or distribution system; and that produces electricity essentially continuously at a constant rate.

(2) “Baseload renewable power portfolio requirement” means an annual average of 175,000 MWh of baseload renewable power from an in-state woody

1 biomass plant that was commissioned prior to September 30, 2009, has a  
2 nominal capacity of 20.5 MW, and was in service as of January 1, 2011.

3 (3) "Biomass" means organic nonfossil material of biological origin  
4 constituting a source of renewable energy within the meaning of subdivision  
5 8002~~(17)~~(21) of this title.

6 (4) [Repealed.]

7 (b) Notwithstanding subsection 8004(a) and subdivision 8005~~(d)~~(c)(1) of  
8 this title, commencing November 1, 2012, the electricity supplied by each  
9 Vermont retail electricity provider to its customers shall include the provider's  
10 pro rata share of the baseload renewable power portfolio requirement, which  
11 shall be based on the total Vermont retail kWh sales of all such providers for  
12 the previous calendar year. The obligation created by this subsection shall  
13 cease on November 1, ~~2022~~ 2032.

14 (c) A plant used to satisfy the baseload renewable power portfolio  
15 requirement shall be a qualifying small power production facility under  
16 16 U.S.C. § 796(17)(C) and 18 C.F.R. part 292.

17 (d) ~~The~~ On or before January 1, 2022, the Commission shall determine, for  
18 the period beginning November 1, 2022, and ending November 1, 2032, the  
19 price to be paid to a plant used to satisfy the baseload renewable power  
20 portfolio requirement. The Commission shall not be required to make this  
21 determination as a contested case under 3 V.S.A. chapter 25. The price shall

1 be the avoided cost of the Vermont composite electric utility system. In this  
2 subsection, the term “avoided cost” means the incremental cost to retail  
3 electricity providers of electric energy or capacity, or both, which, but for the  
4 purchase from the plant proposed to satisfy the baseload renewable power  
5 portfolio requirement, such providers would obtain from a source using the  
6 same generation technology as the proposed plant. In this subsection, the term  
7 “avoided cost” also includes the Commission’s consideration of each of the  
8 following:

9 \* \* \*

10 Sec. 2. TRANSITION PROVISION

11 All decisions and orders of the former Public Service Board and the Public  
12 Utility Commission in the matter *Investigation into the Establishment of a*  
13 *Standard-Offer Price for Baseload Renewable Power under the Sustainably*  
14 *Priced Energy Enterprise Development (“SPEED”) Program, Docket*  
15 *No. 7782, shall remain in full force and effect through October 31, 2022.*

16 Sec. 3. EFFECTIVE DATE

17 This act shall take effect on passage.