



General Assembly

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Amendment

LCO No. 4544

HB0527104544HDO

Offered by:
REP. ROY, 119th Dist.

To: House Bill No. 5271

File No. 349

Cal. No. 227

"AN ACT CONCERNING BIOMASS GASIFICATION PLANTS."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Subdivision (26) of subsection (a) of section 16-1 of the
4 2006 supplement to the general statutes is repealed and the following
5 is substituted in lieu thereof (*Effective October 1, 2006*):

6 (26) "Class I renewable energy source" means (A) energy derived
7 from solar power, wind power, a fuel cell, methane gas from landfills,
8 ocean thermal power, wave or tidal power, low emission advanced
9 renewable energy conversion technologies, a run-of-the-river
10 hydropower facility provided such facility has a generating capacity of
11 not more than five megawatts, does not cause an appreciable change in
12 the river flow, and began operation after July 1, 2003, or a sustainable
13 biomass facility [, including, but not limited to, a biomass gasification
14 plant that utilizes land clearing debris, tree stumps or other biomass
15 that regenerates or the use of which will not result in a depletion of

16 resources, provided such biomass is cultivated and harvested in a
17 sustainable manner and the] with an average emission rate [for such
18 facility is] of equal to or less than .075 pounds of nitrogen oxides per
19 million BTU of heat input for the previous calendar quarter, except
20 that energy derived from a sustainable biomass facility with a capacity
21 of less than five hundred kilowatts that began construction before July
22 1, 2003, may be considered a Class I renewable energy source,
23 [provided such biomass is cultivated and harvested in a sustainable
24 manner,] or (B) any electrical generation, including distributed
25 generation, generated from a Class I renewable energy source.

26 Sec. 502. Subsection (a) of section 16-1 of the 2006 supplement to the
27 general statutes is amended by adding subdivision (45) as follows
28 (*Effective October 1, 2006*):

29 (NEW) (45) "Sustainable biomass" means biomass that is cultivated
30 and harvested in a sustainable manner. "Sustainable biomass" does not
31 mean construction and demolition waste, as defined in section 22a-
32 208x, as amended by this act, finished biomass products from
33 sawmills, paper mills or stud mills, organic refuse fuel derived
34 separately from municipal solid waste, or biomass from old growth
35 timber stands, except where (A) such biomass is used in a biomass
36 gasification plant that receives funding from the Renewable Energy
37 Investment Fund established pursuant to section 16-245n of the 2006
38 supplement to the general statutes, and (B) the energy derived from
39 such biomass is subject to a long-term power purchase contract
40 pursuant to subdivision (2) of subsection (j) of section 16-244c.

41 Sec. 503. Section 16-245a of the 2006 supplement to the general
42 statutes is repealed and the following is substituted in lieu thereof
43 (*Effective October 1, 2006*):

44 (a) [(1) On and after January 1, 2004, an electric supplier and an
45 electric distribution company providing transitional standard offer
46 pursuant to section 16-244c shall demonstrate to the satisfaction of the
47 Department of Public Utility Control that not less than one per cent of

48 the total output or services of such supplier or distribution company
49 shall be generated from Class I renewable energy sources and an
50 additional three per cent of the total output or services shall be from
51 Class I or Class II renewable energy sources. On and after January 1,
52 2005, not less than one and one-half per cent of the total output or
53 services of any such supplier or distribution company shall be
54 generated from Class I renewable energy sources and an additional
55 three per cent of the total output or services shall be from Class I or
56 Class II renewable energy sources.] On and after January 1, 2006, an
57 electric supplier and an electric distribution company providing
58 standard service or supplier of last resort service, pursuant to section
59 16-244c, as amended, shall demonstrate that not less than two per cent
60 of the total output or services of any such supplier or distribution
61 company shall be generated from Class I renewable energy sources
62 and an additional three per cent of the total output or services shall be
63 from Class I or Class II renewable energy sources. On and after
64 January 1, 2007, not less than three and one-half per cent of the total
65 output or services of any such supplier or distribution company shall
66 be generated from Class I renewable energy sources and an additional
67 three per cent of the total output or services shall be from Class I or
68 Class II renewable energy sources. On and after January 1 2008, not
69 less than five per cent of the total output or services of any such
70 supplier or distribution company shall be generated from Class I
71 renewable energy sources and an additional three per cent of the total
72 output or services shall be from Class I or Class II renewable energy
73 sources. On and after January 1, 2009, not less than six per cent of the
74 total output or services of any such supplier or distribution company
75 shall be generated from Class I renewable energy sources and an
76 additional three per cent of the total output or services shall be from
77 Class I or Class II renewable energy sources. On and after January 1,
78 2010, not less than seven per cent of the total output or services of any
79 such supplier or distribution company shall be generated from Class I
80 renewable energy sources and an additional three per cent of the total
81 output or services shall be from Class I or Class II renewable energy
82 sources.

83 [(2)] (b) An electric supplier or electric distribution company may
84 satisfy the requirements of [this subsection by (A)] subsection (a) of
85 this section (1) by purchasing [Class I or Class II renewable energy
86 sources within the jurisdiction of the regional independent system
87 operator, or* within the jurisdiction of New York, Pennsylvania, New
88 Jersey, Maryland, and Delaware, provided the department determines
89 such states have a renewable portfolio standard that is comparable to
90 this section] electricity generated by a Class I or Class II renewable
91 energy source located within the jurisdiction of the regional
92 independent system operator, or (2) by purchasing certificates issued
93 by the New England Power Pool generation information system,
94 which certificates are (A) for electricity produced by a generating unit
95 (i) using a Class I or Class II renewable energy source, and (ii) located
96 within the jurisdiction of the regional independent system operator, or
97 (B) for electricity imported into the regional independent system
98 operator control area pursuant to an external transaction for the output
99 of a particular renewable energy resource identified in the regional
100 system operator's market settlement system for purposes of the
101 generation information system, that reflects the attributes of the
102 renewable energy generating unit generating such electricity if (i) such
103 generating unit produces electricity using a Class I or Class II
104 renewable energy source; (ii) such electricity is imported from such
105 generating unit in an adjacent control area into the regional system
106 operator control area with transmission rights over the ties to the
107 regional system operator; (iii) such electricity is actually settled in the
108 market settlement system; (iv) the electric supplier or electric
109 distribution company importing such electricity has registered the
110 applicable generating unit in the generation information system; and
111 (v) such electric supplier or electric distribution company provides the
112 generation information system administrator with evidence, which has
113 been independently verified by the generation information system
114 administrator, that (I) the generating unit actually generated such
115 electricity, (II) there is a North American Electric Reliability Council
116 tag for such electricity, which tag meets the requirements of the
117 independent system rules for external transactions for electricity and

118 the requirements of the adjacent source system operator, and (III) the
119 seller of such electricity has certified that the specified attributes have
120 not been and will not be otherwise sold, retired, claimed, represented
121 as part of electricity sold elsewhere or used to satisfy obligations of
122 another system operator; or [(B)] (3) by participating in a renewable
123 energy trading program within said jurisdictions as approved by the
124 Department of Public Utility Control.

125 [(3)] (c) Any supplier who provides electric generation services
126 solely from a Class II renewable energy source shall not be required to
127 comply with the provisions of this section.

128 [(b)] (d) An electric supplier or an electric distribution company
129 shall base its demonstration of generation sources, as required under
130 subsection (a) of this section on historical data, which may consist of
131 data filed with the regional independent system operator.

132 [(c)] (e) (1) A supplier or an electric distribution company may make
133 up any deficiency within its renewable energy portfolio within the first
134 three months of the succeeding calendar year or as otherwise provided
135 by generation information system operating rules approved by New
136 England Power Pool or its successor to meet the generation source
137 requirements of subsection (a) of this section for the previous year.

138 (2) No such supplier or electric distribution company shall receive
139 credit for the current calendar year for generation from Class I or Class
140 II renewable energy sources pursuant to this section where such
141 supplier or distribution company receives credit for the preceding
142 calendar year pursuant to subdivision (1) of this subsection.

143 [(d)] (f) The department shall adopt regulations, in accordance with
144 the provisions of chapter 54, to implement the provisions of this
145 section."