



General Assembly

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Amendment

LCO No. 7891

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Offered by:

REP. REED, 102nd Dist.

SEN. DUFF, 25th Dist.

To: Subst. Senate Bill No. 1138

File No. 120

Cal. No. 469

"AN ACT CONCERNING CONNECTICUT'S CLEAN ENERGY GOALS."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Subdivision (26) of subsection (a) of section 16-1 of the
4 general statutes is repealed and the following is substituted in lieu
5 thereof (*Effective from passage*):

6 (26) "Class I renewable energy source" means (A) [energy] electricity
7 derived from (i) solar power, (ii) wind power, (iii) a fuel cell, [methane
8 gas from landfills,] (iv) geothermal, (v) landfill methane gas, anaerobic
9 digestion or other biogas derived from biological sources, (vi) thermal
10 electric direct energy conversion from a certified Class I renewable
11 energy source, (vii) ocean thermal power, (viii) wave or tidal power,
12 (ix) low emission advanced renewable energy conversion technologies,
13 (x) a run-of-the-river hydropower facility [provided such facility] that
14 began operation after July 1, 2003, and has a generating capacity of not
15 more than [five megawatts, does not cause an appreciable change in

16 the river flow, and began operation after July 1, 2003] thirty
17 megawatts, provided a facility that applies for certification under this
18 clause after January 1, 2013, shall not be based on a new dam or a dam
19 identified by the commissioner as a candidate for removal, and shall
20 meet applicable state and federal requirements, including applicable
21 site-specific standards for water quality and fish passage, or (xi) a
22 [sustainable biomass facility with] biomass facility that uses
23 sustainable biomass fuel and has an average emission rate of equal to
24 or less than .075 pounds of nitrogen oxides per million BTU of heat
25 input for the previous calendar quarter, except that energy derived
26 from a [sustainable] biomass facility with a capacity of less than five
27 hundred kilowatts that began construction before July 1, 2003, may be
28 considered a Class I renewable energy source, or (B) any electrical
29 generation, including distributed generation, generated from a Class I
30 renewable energy source, provided, on and after January 1, 2014, any
31 megawatt hours of electricity from a renewable energy source
32 described under this subparagraph that are claimed or counted by a
33 load-serving entity, province or state toward compliance with
34 renewable portfolio standards or renewable energy policy goals in
35 another province or state, other than the state of Connecticut, shall not
36 be eligible for compliance with the renewable portfolio standards
37 established pursuant to section 16-245a, as amended by this act;

38 Sec. 2. Subdivision (44) of subsection (a) of section 16-1 of the
39 general statutes is repealed and the following is substituted in lieu
40 thereof (*Effective from passage*):

41 (44) "Class III source" means the electricity output from combined
42 heat and power systems with an operating efficiency level of no less
43 than fifty per cent that are part of customer-side distributed resources
44 developed at commercial and industrial facilities in this state on or
45 after January 1, 2006, a waste heat recovery system installed on or after
46 April 1, 2007, that produces electrical or thermal energy by capturing
47 preexisting waste heat or pressure from industrial or commercial
48 processes, or the electricity savings created in this state from

49 conservation and load management programs begun on or after
50 January 1, 2006, provided on and after January 1, 2014, no such
51 programs supported by ratepayers, including programs overseen by
52 the Energy Conservation Management Board or third-party programs
53 pursuant to section 16-245m, shall be considered a Class III source,
54 except that any demand-side management project awarded a contract
55 pursuant to section 16-243m shall remain eligible as a Class III source
56 for the term of such contract;

57 Sec. 3. Subdivision (45) of subsection (a) of section 16-1 of the
58 general statutes is repealed and the following is substituted in lieu
59 thereof (*Effective from passage*):

60 (45) "Sustainable biomass fuel" means biomass that is cultivated and
61 harvested in a sustainable manner. "Sustainable biomass fuel" does not
62 mean construction and demolition waste, as defined in section 22a-
63 208x, finished biomass products from sawmills, paper mills or stud
64 mills, organic refuse fuel derived separately from municipal solid
65 waste, or biomass from old growth timber stands, except where (A)
66 such biomass is used in a biomass gasification plant that received
67 funding prior to May 1, 2006, from the Clean Energy Fund established
68 pursuant to section 16-245n, or (B) the energy derived from such
69 biomass is subject to a long-term power purchase contract pursuant to
70 subdivision (2) of subsection (j) of section 16-244c entered into prior to
71 May 1, 2006; [(C) such biomass is used in a renewable energy facility
72 that is certified as a Class I renewable energy source by the authority
73 until such time as the authority certifies that any biomass gasification
74 plant, as defined in subparagraph (A) of this subdivision, is
75 operational and accepting such biomass, in an amount not to exceed
76 one hundred forty thousand tons annually, is used in a renewable
77 energy facility that was certified as a Class I renewable energy source
78 by the authority prior to December 31, 2007, and uses biomass,
79 including construction and demolition waste as defined in section 22a-
80 208x, from a Connecticut-sited transfer station and volume-reduction
81 facility that generated biomass during calendar year 2007 that was

82 used during calendar year 2007 to generate Class I renewable energy
83 certificates, or (D) in the event there is no facility as described in
84 subparagraph (A) or (C) of this subdivision accepting such biomass, in
85 an amount not to exceed one hundred forty thousand tons annually, is
86 used in one or more other renewable energy facilities certified either as
87 a Class I or Class II renewable energy source by the authority,
88 provided such facilities use biomass, including construction and
89 demolition waste as defined in said section 22a-208x, from a
90 Connecticut-sited transfer station and volume-reduction facility that
91 generated biomass during calendar year 2007 that was used during
92 calendar year 2007 to generate Class I renewable energy certificates.
93 Notwithstanding the provisions of subparagraphs (C) and (D) of this
94 subdivision, the amount of biomass specified in said subparagraphs
95 shall not apply to a biomass gasification plant, as defined in
96 subparagraph (A) of this subdivision;]

97 Sec. 4. Subsection (a) of section 16-1 of the general statutes is
98 amended by adding subdivision (53) as follows (*Effective from passage*):

99 (NEW) (53) "Large-scale hydropower" means any hydropower
100 facility that (A) began operation on or after January 1, 2003, (B) is
101 located in the New England Power Pool Generation Information
102 System geographic eligibility area in accordance with Rule 2.3 of said
103 system or an area abutting the northern boundary of the New England
104 Power Pool Generation Information System geographic eligibility area
105 that is not interconnected with any other control area that is not a part
106 of the New England Power Pool Generation Information System
107 geographic eligibility area, (C) delivers power into such geographic
108 eligibility area, and (D) has a generating capacity of more than thirty
109 megawatts.

110 Sec. 5. Section 16-245a of the general statutes is amended by adding
111 subsection (h) as follows (*Effective from passage*):

112 (NEW) (h) On or before January 1, 2014, the Commissioner of
113 Energy and Environmental Protection shall, in developing or

114 modifying an Integrated Resources Plan in accordance with sections
115 16a-3a and 16a-3e, establish a schedule to commence on January 1,
116 2015, for assigning a gradually reduced renewable energy credit value
117 to all biomass or landfill methane gas facilities that qualify as a Class I
118 renewable energy source pursuant to section 16-1, as amended by this
119 act, provided this subsection shall not apply to anaerobic digestion or
120 other biogas facilities, and further provided any reduced renewable
121 energy credit value established pursuant to this section shall not apply
122 to any biomass or landfill methane gas facility that has entered into a
123 power purchase agreement (1) with an electric supplier or electric
124 distribution company in the state of Connecticut on or before the
125 effective date of this section, or (2) executed in accordance with section
126 6 or 8 of this act. The Commissioner of Energy and Environmental
127 Protection may review the schedule established pursuant to this
128 subsection in preparation of each subsequent Integrated Resources
129 Plan developed pursuant to section 16a-3a and make any necessary
130 changes thereto to ensure that the rate of reductions in renewable
131 energy credit value for biomass or landfill methane gas facilities is
132 appropriate given the availability of other Class I renewable energy
133 sources.

134 Sec. 6. (NEW) (*Effective from passage*) On or after January 1, 2013, the
135 Commissioner of Energy and Environmental Protection, in
136 consultation with the procurement manager identified in subsection (l)
137 of section 16-2 of the general statutes, the Office of Consumer Counsel
138 and the Attorney General, may, in coordination with other states in the
139 region of the regional independent system operator, as defined in
140 section 16-1 of the general statutes, as amended by this act, or on the
141 commissioner's own, solicit proposals, in one solicitation or multiple
142 solicitations, from providers of Class I renewable energy sources, as
143 defined in section 16-1 of the general statutes, as amended by this act,
144 constructed on or after January 1, 2013. If the commissioner finds such
145 proposals to be in the interest of ratepayers including, but not limited
146 to, the delivered price of such sources, and consistent with the
147 requirements to reduce greenhouse gas emissions in accordance with

148 section 22a-200a of the general statutes, and in accordance with the
149 policy goals outlined in the Comprehensive Energy Strategy, adopted
150 pursuant to section 16a-3d of the general statutes, the commissioner
151 may select proposals from such resources to meet up to four per cent
152 of the load distributed by the state's electric distribution companies.
153 The commissioner may direct the electric distribution companies to
154 enter into power purchase agreements for energy, capacity and
155 environmental attributes, or any combination thereof, for periods of
156 not more than twenty years. Certificates issued by the New England
157 Power Pool Generation Information System for any Class I renewable
158 energy sources procured under this section shall be sold in the New
159 England Power Pool Generation Information System renewable energy
160 credit market to be used by any electric supplier or electric distribution
161 company to meet the requirements of section 16-245a of the general
162 statutes, as amended by this act. Any such agreement shall be subject
163 to review and approval by the Public Utilities Regulatory Authority,
164 which review shall commence upon the filing of the signed power
165 purchase agreement with the authority. The authority shall issue a
166 decision on such agreement not later than thirty days after such filing.
167 In the event the authority does not issue a decision within thirty days
168 after such agreement is filed with the authority, the agreement shall be
169 deemed approved. The net costs of any such agreement shall be
170 recovered through a fully reconciling component of electric rates for all
171 customers of electric distribution companies. Such costs may include
172 reasonable costs incurred by electric distribution companies pursuant
173 to this section.

174 Sec. 7. (NEW) (*Effective from passage*) On or after July 1, 2013, the
175 Commissioner of Energy and Environmental Protection, in
176 consultation with the procurement manager identified in subsection (l)
177 of section 16-2 of the general statutes, the Office of Consumer Counsel
178 and the Attorney General, may, in coordination with other states in the
179 region of the regional independent system operator, as defined in
180 section 16-1 of the general statutes, as amended by this act, or on the
181 commissioner's own, solicit proposals, in one solicitation or multiple

182 solicitations, from providers of Class I renewable energy sources, as
183 defined in section 16-1 of the general statutes, as amended by this act,
184 or verifiable large-scale hydropower, as defined in section 16-1 of the
185 general statutes, as amended by this act. If the commissioner finds
186 such proposals to be in the interest of ratepayers, including, but not
187 limited to, the delivered price of such sources, and consistent with the
188 requirements to reduce greenhouse gas emissions in accordance with
189 section 22a-200a of the general statutes, and in accordance with the
190 policy goals outlined in the Comprehensive Energy Strategy, adopted
191 pursuant to section 16a-3d of the general statutes, and section 129 of
192 public act 11-80, including, but not limited to, base load capacity, peak
193 load shaving and promotion of wind, solar and other renewable and
194 low carbon energy technologies, the commissioner may select
195 proposals from such resources to meet up to five per cent of the load
196 distributed by the state's electric distribution companies. The
197 commissioner may on behalf of all customers of electric distribution
198 companies, direct the electric distribution companies to enter into
199 power purchase agreements for energy, capacity and any
200 environmental attributes, or any combination thereof, for periods of
201 not more than (1) fifteen years, if any such agreement is with a
202 provider of verifiable large-scale hydropower, or (2) twenty years, if
203 any such agreement is with a provider of a Class I renewable energy
204 source. Certificates issued by the New England Power Pool Generation
205 Information System for any Class I renewable energy sources procured
206 under this section shall be sold in the New England Power Pool
207 Generation Information System renewable energy credit market to be
208 used by any electric supplier or electric distribution company to meet
209 the requirements of section 16-245a of the general statutes, as amended
210 by this act. Any such agreement shall be subject to review and
211 approval by the Public Utilities Regulatory Authority, which review
212 shall (A) include a public hearing, and (B) be completed not later than
213 sixty days after the date on which such agreement is filed with the
214 authority. The net costs of any such agreement shall be recovered
215 through a fully reconciling component of electric rates for all
216 customers of electric distribution companies. Such costs may include

217 the reasonable costs incurred by the electric distribution companies
218 pursuant to this section.

219 Sec. 8. (NEW) (*Effective from passage*) On or after October 1, 2013, the
220 Commissioner of Energy and Environmental Protection, in
221 consultation with the procurement manager identified in subsection (l)
222 of section 16-2 of the general statutes, the Office of the Consumer
223 Counsel and the Attorney General, may solicit proposals, in one
224 solicitation or multiple solicitations, from providers of run-of-the-river
225 hydropower, landfill methane gas or biomass, provided such source
226 meets the definition of a Class I renewable energy source pursuant to
227 section 16-1 of the general statutes, as amended by this act. In making
228 any selection of such proposals, the commissioner shall consider
229 factors, including, but not limited to (1) whether the proposal is in the
230 interest of ratepayers, including, but not limited to, the delivered price
231 of such sources, (2) the emissions profile of a relevant facility, (3) any
232 investments made by a relevant facility to improve the emissions
233 profile of such facility, (4) the length of time a relevant facility has
234 received renewable energy credits, (5) any positive impacts on the
235 state's economic development, (6) whether the proposal is consistent
236 with requirements to reduce greenhouse gas emissions in accordance
237 with section 22a-200a of the general statutes, and (7) whether the
238 proposal is consistent with the policy goals outlined in the
239 Comprehensive Energy Strategy adopted pursuant to section 16a-3d of
240 the general statutes. The commissioner may select proposals from such
241 resources to meet up to four per cent of the load distributed by the
242 state's electric distribution companies. The commissioner may direct
243 the electric distribution companies to enter into power purchase
244 agreements for energy, capacity and environmental attributes, or any
245 combination thereof, for periods of not more than ten years on behalf
246 of all customers of the state's electric distribution companies.
247 Certificates issued by the New England Power Pool Generation
248 Information System for any Class I renewable energy sources procured
249 under this section shall be sold in the New England Power Pool
250 Generation Information System renewable energy credit market to be

251 used by any electric supplier or electric distribution company to meet
252 the requirements of section 16-245a of the general statutes, as amended
253 by this act. Any such agreement shall be subject to review and
254 approval by the Public Utilities Regulatory Authority, which review
255 shall be completed not later than sixty days after the date on which
256 such agreement is filed with the authority. The net costs of any such
257 agreement shall be recovered through a fully reconciling component of
258 electric rates for all customers of electric distribution companies. Such
259 costs may include the reasonable costs incurred by the electric
260 distribution companies pursuant to this section.

261 Sec. 9. (NEW) (*Effective from passage*) (a) During the calendar year
262 commencing January 1, 2014, and continuing each calendar year
263 thereafter, if alternative compliance payments pursuant to subsection
264 (j) of section 16-244c of the general statutes, as amended by this act, or
265 subsection (k) of section 16-245 of the general statutes, as amended by
266 this act, are made for failure to meet the renewable portfolio standards,
267 there shall be a presumption for the calendar year the alternative
268 compliance payments are made that there is an insufficient supply of
269 Class I renewable energy sources, as defined in section 16-1 of the
270 general statutes, as amended by this act, for electric suppliers or
271 electric distribution companies to comply with the requirements of
272 section 16-245a of the general statutes, as amended by this act.

273 (b) In the event there is a presumption of insufficient supply of
274 Class I renewable energy sources pursuant to subsection (a) of this
275 section for the calendar year the alternative compliance payments are
276 made, the Commissioner of Energy and Environmental Protection may
277 determine whether such payments resulted from a material shortage of
278 Class I renewable energy sources. In making this determination, the
279 commissioner shall consider whether such payments resulted from
280 intentional or negligent action by an electric supplier or electric
281 distribution company not to purchase renewable energy credits
282 available in the New England Power Pool Generation Information
283 System market.

284 (c) In the event there is such a presumption pursuant to subsection
285 (a) of this section and the commissioner finds that the alternative
286 compliance payments were due to a material shortage of Class I
287 renewable energy sources pursuant to subsection (b) of this section, the
288 commissioner shall determine the adequacy, or potential adequacy, of
289 Class I renewable energy sources to meet the succeeding years'
290 renewable portfolio standard. In making this determination, the
291 commissioner may consider (1) future cost and availability of
292 certificates issued by the New England Power Pool Generation
293 Information System based on the status of projects under development
294 in the region, (2) future requirements of certificates issued by the New
295 England Power Pool Generation Information System in other states,
296 and (3) the projected compliance costs of Class I renewable energy
297 sources.

298 (d) In the event there is such a presumption pursuant to subsection
299 (a) of this section and the commissioner finds a material shortage of
300 Class I renewable energy sources pursuant to subsection (b) of this
301 section, and in addition to determining the adequacy pursuant to
302 subsection (c) of this section, the commissioner shall, in consultation
303 with the procurement manager identified in subsection (l) of section
304 16-2 of the general statutes, the Office of Consumer Counsel and the
305 Attorney General, solicit proposals from providers of Class I
306 renewable energy sources, as defined in section 16-1 of the general
307 statutes, as amended by this act, operational as of the date that such
308 solicitation is issued. If the commissioner, in consultation with the
309 procurement manager identified in subsection (l) of section 16-2 of the
310 general statutes, finds such proposals to be in the interest of ratepayers
311 including, but not limited to, the delivered price of such sources, and
312 consistent with the requirements to reduce greenhouse gas emissions
313 in accordance with section 22a-200a of the general statutes, and in
314 accordance with the policy goals outlined in the Comprehensive
315 Energy Strategy, adopted pursuant to section 16a-3d of the general
316 statutes, the commissioner, in consultation with the procurement
317 manager identified in subsection (l) of section 16-2 of the general

318 statutes, may select proposals from such sources to meet up to the
319 amount necessary to ensure an adequate incremental supply of Class I
320 renewable energy sources to rectify any projected shortage of Class I
321 renewable energy supply identified pursuant to subsection (c) of this
322 section. The commissioner shall direct the electric distribution
323 companies to enter into power purchase agreements for energy,
324 capacity and environmental attributes, or any combination thereof,
325 from such selected proposals for periods of not more than ten years.
326 Certificates issued by the New England Power Pool Generation
327 Information System for any Class I renewable energy sources procured
328 under this section shall be sold in the New England Power Pool
329 Generation Information System renewable energy credit market to be
330 used by any electric supplier or electric distribution company to meet
331 the requirements of section 16-245a of the general statutes, as amended
332 by this act. Any such agreement shall be subject to review and
333 approval by the Public Utilities Regulatory Authority, which review
334 shall commence upon the filing of the signed power purchase
335 agreement with the authority. The authority shall issue a decision on
336 such agreement not later than thirty days after such filing. In the event
337 the authority does not issue a decision within thirty days after such
338 agreement is filed with the authority, the agreement shall be deemed
339 approved. The net costs of any such agreement shall be recovered
340 through a fully reconciling component of electric rates for all
341 customers of electric distribution companies. Such costs may include
342 reasonable costs incurred by electric distribution companies pursuant
343 to this section.

344 (e) Notwithstanding subsection (b) of section 16-245a of the general
345 statutes, as amended by this act, in the event that (1) for any calendar
346 year commencing on or after January 1, 2014, there is such a
347 presumption pursuant to subsection (a) of this section, (2) the
348 commissioner finds material shortage of Class I renewable energy
349 sources pursuant to subsection (b) of this section, (3) there is a
350 determination of inadequacy pursuant to subsection (c) of this section,
351 and (4) any contracts for Class I renewable energy sources approved

352 by the Public Utilities Regulatory Authority pursuant to subsection (d)
353 of this section yield an amount of Class I renewable energy sources
354 that is insufficient to rectify any projected shortage pursuant to
355 subsection (c) of this section, then commencing on or after January 1,
356 2016, the commissioner may allow not more than one percentage point
357 of the Class I renewable portfolio standards established pursuant to
358 section 16-245a of the general statutes, as amended by this act, effective
359 for the succeeding and subsequent calendar years to be satisfied by
360 large-scale hydropower procured pursuant to section 7 of this act. The
361 requirements applicable to electric suppliers and electric distribution
362 companies pursuant to section 16-245a of the general statutes, as
363 amended by this act, shall consequently be reduced by not more than
364 one percentage point in proportion to the commissioner's action,
365 provided (A) the commissioner shall not allow a total of more than five
366 percentage points of the Class I renewable portfolio standard to be met
367 by large-scale hydropower by December 31, 2020, and (B) no such
368 large-scale hydropower shall be eligible to trade in the New England
369 Power Pool Generation Information System renewable energy credit
370 market.

371 Sec. 10. Subdivision (1) of subsection (j) of section 16-244c of the
372 general statutes is repealed and the following is substituted in lieu
373 thereof (*Effective from passage*):

374 (j) (1) Notwithstanding the provisions of subsection (d) of this
375 section regarding an alternative transitional standard offer option or
376 an alternative standard service option, an electric distribution
377 company providing transitional standard offer service, standard
378 service, supplier of last resort service or back-up electric generation
379 service in accordance with this section shall contract with its wholesale
380 suppliers to comply with the renewable portfolio standards. The
381 Public Utilities Regulatory Authority shall annually conduct [a
382 contested case, in accordance with the provisions of chapter 54,] an
383 uncontested proceeding in order to determine whether the electric
384 distribution company's wholesale suppliers met the renewable

385 portfolio standards during the preceding year. On or before December
386 31, 2013, the authority shall issue a decision on any such proceeding
387 for calendar years up to and including, 2012, for which a decision has
388 not already been issued. Not later than December 31, 2014, and
389 annually thereafter, the authority shall, following such proceeding,
390 issue a decision as to whether the electric distribution company's
391 wholesale suppliers met the renewable portfolio standards during the
392 preceding year. An electric distribution company shall include a
393 provision in its contract with each wholesale supplier that requires the
394 wholesale supplier to pay the electric distribution company an amount
395 of five and one-half cents per kilowatt hour if the wholesale supplier
396 fails to comply with the renewable portfolio standards during the
397 subject annual period. The electric distribution company shall
398 promptly transfer any payment received from the wholesale supplier
399 for the failure to meet the renewable portfolio standards to the Clean
400 Energy Fund for the development of Class I renewable energy sources,
401 [Any payment made pursuant to this section shall not be considered
402 revenue or income to the electric distribution company.] provided, on
403 and after the effective date of this section, any such payment shall be
404 refunded to ratepayers by using such payment to offset the costs to all
405 customers of electric distribution companies of the costs of contracts
406 entered into pursuant to sections 16-244r and 16-244t. Any excess
407 amount remaining from such payment shall be applied to reduce the
408 costs of contracts entered into pursuant to subdivision (2) of this
409 subsection, and if any excess amount remains, such amount shall be
410 applied to reduce costs collected through nonbypassable, federally-
411 mandated congestion charges, as defined in section 16-1, as amended
412 by this act.

413 Sec. 11. Subsection (k) of section 16-245 of the general statutes is
414 repealed and the following is substituted in lieu thereof (*Effective from*
415 *passage*):

416 (k) Any licensee who fails to comply with a license condition or who
417 violates any provision of this section, except for the renewable

418 portfolio standards contained in subsection (g) of this section, shall be
419 subject to civil penalties by the Public Utilities Regulatory Authority in
420 accordance with section 16-41, or the suspension or revocation of such
421 license or a prohibition on accepting new customers following a
422 hearing that is conducted as a contested case in accordance with
423 chapter 54. Notwithstanding the provisions of subsection (d) of section
424 16-244c regarding an alternative transitional standard offer option or
425 an alternative standard service option, the authority shall require a
426 payment by a licensee that fails to comply with the renewable portfolio
427 standards in accordance with subdivision (4) of subsection (g) of this
428 section in the amount of five and one-half cents per kilowatt hour. On
429 or before December 31, 2013, the authority shall issue a decision,
430 following an uncontested proceeding, on whether any licensee has
431 failed to comply with the renewable portfolio standards for calendar
432 years up to and including, 2012, for which a decision has not already
433 been issued. On and after the effective date of this section, the Public
434 Utilities Regulatory Authority shall annually conduct an uncontested
435 proceeding in order to determine whether any licensee has failed to
436 comply with the renewable portfolio standards during the preceding
437 year. Not later than December 31, 2014, and annually thereafter, the
438 authority shall, following such proceeding, issue a decision as to
439 whether the licensee has failed to comply with the renewable portfolio
440 standards during the preceding year. The authority shall allocate such
441 payment to the Clean Energy Fund for the development of Class I
442 renewable energy sources, provided, on and after the effective date of
443 this section, any such payment shall be refunded to ratepayers by
444 using such payment to offset the costs to all customers of electric
445 distribution companies of the costs of contracts entered into pursuant
446 to sections 16-244r and 16-244t. Any excess amount remaining from
447 such payment shall be applied to reduce the costs of contracts entered
448 into pursuant to subdivision (2) of subsection (j) of section 16-244c, and
449 if any excess amount remains, such amount shall be applied to reduce
450 costs collected through nonbypassable, federally-mandated congestion
451 charges, as defined in section 16-1, as amended by this act."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	16-1(a)(26)
Sec. 2	<i>from passage</i>	16-1(a)(44)
Sec. 3	<i>from passage</i>	16-1(a)(45)
Sec. 4	<i>from passage</i>	16-1(a)
Sec. 5	<i>from passage</i>	16-245a
Sec. 6	<i>from passage</i>	New section
Sec. 7	<i>from passage</i>	New section
Sec. 8	<i>from passage</i>	New section
Sec. 9	<i>from passage</i>	New section
Sec. 10	<i>from passage</i>	16-244c(j)(1)
Sec. 11	<i>from passage</i>	16-245(k)