



General Assembly

**Amendment**

January Session, 2013

LCO No. 6329

**\*SB0113806329SR0\***

Offered by:

SEN. MCKINNEY, 28<sup>th</sup> Dist.

SEN. FASANO, 34<sup>th</sup> Dist.

To: Subst. Senate Bill No. 1138

File No. 120

Cal. No. 141

**"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. Subsection (a) of section 16-245a of the general statutes is  
4 repealed and the following is substituted in lieu thereof (*Effective from*  
5 *passage*):

6 (a) An electric supplier and an electric distribution company  
7 providing standard service or supplier of last resort service, pursuant  
8 to section 16-244c, as amended by this act, shall demonstrate:

9 (1) On and after January 1, 2006, that not less than two per cent of  
10 the total output or services of any such supplier or distribution  
11 company shall be generated from Class I renewable energy sources  
12 and an additional three per cent of the total output or services shall be  
13 from Class I or Class II renewable energy sources;

14 (2) On and after January 1, 2007, not less than three and one-half per  
15 cent of the total output or services of any such supplier or distribution  
16 company shall be generated from Class I renewable energy sources  
17 and an additional three per cent of the total output or services shall be  
18 from Class I or Class II renewable energy sources;

19 (3) On and after January 1, 2008, not less than five per cent of the  
20 total output or services of any such supplier or distribution company  
21 shall be generated from Class I renewable energy sources and an  
22 additional three per cent of the total output or services shall be from  
23 Class I or Class II renewable energy sources;

24 (4) On and after January 1, 2009, not less than six per cent of the  
25 total output or services of any such supplier or distribution company  
26 shall be generated from Class I renewable energy sources and an  
27 additional three per cent of the total output or services shall be from  
28 Class I or Class II renewable energy sources;

29 (5) On and after January 1, 2010, not less than seven per cent of the  
30 total output or services of any such supplier or distribution company  
31 shall be generated from Class I renewable energy sources and an  
32 additional three per cent of the total output or services shall be from  
33 Class I or Class II renewable energy sources;

34 (6) On and after January 1, 2011, not less than eight per cent of the  
35 total output or services of any such supplier or distribution company  
36 shall be generated from Class I renewable energy sources and an  
37 additional three per cent of the total output or services shall be from  
38 Class I or Class II renewable energy sources;

39 (7) On and after January 1, 2012, not less than nine per cent of the  
40 total output or services of any such supplier or distribution company  
41 shall be generated from Class I renewable energy sources and an  
42 additional three per cent of the total output or services shall be from  
43 Class I or Class II renewable energy sources;

44 (8) On and after January 1, 2013, not less than [ten] nine per cent of

45 the total output or services of any such supplier or distribution  
46 company shall be generated from Class I renewable energy sources  
47 and an additional three per cent of the total output or services shall be  
48 from Class I or Class II renewable energy sources;

49 (9) On and after January 1, 2014, not less than [~~eleven~~] nine per cent  
50 of the total output or services of any such supplier or distribution  
51 company shall be generated from Class I renewable energy sources  
52 and an additional three per cent of the total output or services shall be  
53 from Class I or Class II renewable energy sources;

54 (10) On and after January 1, 2015, not less than [~~twelve and one-half~~]  
55 nine per cent of the total output or services of any such supplier or  
56 distribution company shall be generated from Class I renewable  
57 energy sources and an additional three per cent of the total output or  
58 services shall be from Class I or Class II renewable energy sources;

59 (11) On and after January 1, 2016, not less than [~~fourteen~~] ten per  
60 cent 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;

64 (12) On and after January 1, 2017, not less than [~~fifteen and one-half~~]  
65 eleven per cent of the total output or services of any such supplier or  
66 distribution company shall be generated from Class I renewable  
67 energy sources and an additional three per cent of the total output or  
68 services shall be from Class I or Class II renewable energy sources;

69 (13) On and after January 1, 2018, not less than [~~seventeen~~] twelve  
70 and one-half per cent of the total output or services of any such  
71 supplier or distribution company shall be generated from Class I  
72 renewable energy sources and an additional three per cent of the total  
73 output or services shall be from Class I or Class II renewable energy  
74 sources;

75 (14) On and after January 1, 2019, not less than [~~nineteen and one-~~

76 half] fourteen per cent of the total output or services of any such  
77 supplier or distribution company shall be generated from Class I  
78 renewable energy sources and an additional three per cent of the total  
79 output or services shall be from Class I or Class II renewable energy  
80 sources;

81 (15) On and after January 1, 2020, not less than [twenty] fifteen and  
82 one-half per cent of the total output or services of any such supplier or  
83 distribution company shall be generated from Class I renewable  
84 energy sources and an additional three per cent of the total output or  
85 services shall be from Class I or Class II renewable energy sources;

86 (16) On and after January 1, 2021, not less than seventeen per cent of  
87 the total output or services of any such supplier or distribution  
88 company shall be generated from Class I renewable energy sources  
89 and an additional three per cent of the total output or services shall be  
90 from Class I or Class II renewable energy sources;

91 (17) On and after January 1, 2022, not less than nineteen and one-  
92 half per cent of the total output or services of any such supplier or  
93 distribution company shall be generated from Class I renewable  
94 energy sources and an additional three per cent of the total output or  
95 services shall be from Class I or Class II renewable energy sources;

96 (18) On and after January 1, 2023, not less than twenty per cent of  
97 the total output or services of any such supplier or distribution  
98 company shall be generated from Class I renewable energy sources  
99 and an additional three per cent of the total output or services shall be  
100 from Class I or Class II renewable energy sources.

101 Sec. 2. Subdivision (1) of subsection (j) of section 16-244c of the  
102 general statutes is repealed and the following is substituted in lieu  
103 thereof (*Effective from passage*):

104 (j) (1) Notwithstanding the provisions of subsection (d) of this  
105 section regarding an alternative transitional standard offer option or  
106 an alternative standard service option, an electric distribution

107 company providing transitional standard offer service, standard  
108 service, supplier of last resort service or back-up electric generation  
109 service in accordance with this section shall contract with its wholesale  
110 suppliers to comply with the renewable portfolio standards. The  
111 Public Utilities Regulatory Authority shall annually conduct a  
112 contested case, in accordance with the provisions of chapter 54, in  
113 order to determine whether the electric distribution company's  
114 wholesale suppliers met the renewable portfolio standards during the  
115 preceding year. An electric distribution company shall include a  
116 provision in its contract with each wholesale supplier that requires the  
117 wholesale supplier to pay the electric distribution company an amount  
118 of five and one-half cents per kilowatt hour if the wholesale supplier  
119 fails to comply with the renewable portfolio standards during the  
120 subject annual period. The electric distribution company shall  
121 promptly transfer any payment received from the wholesale supplier  
122 for the failure to meet the renewable portfolio standards to the Clean  
123 Energy Fund for the development of Class I renewable energy sources,  
124 [ Any payment made pursuant to this section shall not be considered  
125 revenue or income to the electric distribution company.] provided on  
126 and after January 1, 2014, any such payment shall be refunded to  
127 ratepayers by using such payment to offset the costs to all customers of  
128 electric distribution companies of the costs of contracts entered into  
129 pursuant to sections 16-244r and 16-244t. Any excess amount  
130 remaining from such payment shall be applied to reduce the costs of  
131 contracts entered into pursuant to subdivision (2) of subsection (j) of  
132 section 16-244c, and if any excess amount remains, such amount shall  
133 be applied to reduce costs collected through nonbypassable, federally-  
134 mandated congestion charges, as defined in section 16-1.

135 Sec. 3. Subsection (k) of section 16-245 of the general statutes is  
136 repealed and the following is substituted in lieu thereof (*Effective from*  
137 *passage*):

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

140 portfolio standards contained in subsection (g) of this section, shall be  
 141 subject to civil penalties by the Public Utilities Regulatory Authority in  
 142 accordance with section 16-41, or the suspension or revocation of such  
 143 license or a prohibition on accepting new customers following a  
 144 hearing that is conducted as a contested case in accordance with  
 145 chapter 54. Notwithstanding the provisions of subsection (d) of section  
 146 16-244c regarding an alternative transitional standard offer option or  
 147 an alternative standard service option, the authority shall require a  
 148 payment by a licensee that fails to comply with the renewable portfolio  
 149 standards in accordance with subdivision (4) of subsection (g) of this  
 150 section in the amount of five and one-half cents per kilowatt hour. The  
 151 authority shall allocate such payment to the Clean Energy Fund for the  
 152 development of Class I renewable energy sources, provided on and  
 153 after January 1, 2014, any such payment shall be refunded to  
 154 ratepayers by using such payment to offset the costs to all customers of  
 155 electric distribution companies of the costs of contracts entered into  
 156 pursuant to sections 16-244r and 16-244t. Any excess amount  
 157 remaining from such payment shall be applied to reduce the costs of  
 158 contracts entered into pursuant to subdivision (2) of subsection (j) of  
 159 section 16-244c, and if any excess amount remains, such amount shall  
 160 be applied to reduce costs collected through nonbypassable, federally-  
 161 mandated congestion charges, as defined in section 16-1."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	16-245a(a)
Sec. 2	<i>from passage</i>	16-244c(j)(1)
Sec. 3	<i>from passage</i>	16-245(k)