

**Proposed Substitute
Bill No. 5496**

LCO No. 3389

**AN ACT CONCERNING BIOMASS FACILITIES AND CERTAIN
VIRTUAL NET METERING FACILITIES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 16-244*l* of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) The administrator of any project utilizing fuel cells with an
4 electricity purchase agreement entered into and approved by the
5 Public Utilities Regulatory Authority pursuant to subsection (h) of
6 section 16-244c with a generating capacity of not greater than five
7 megawatts, to be sited within fifty feet of a natural gas transmission
8 facility that operates at pressures in excess of one hundred fifty
9 pounds, may submit a request to said authority for a modification to
10 such purchase agreement that would permit the project to move to an
11 alternative location and allow for an equitable adjustment in contract
12 pricing to account for any change in the project attributable to the
13 change in location. Said authority shall open a docket to review such
14 modification request not later than thirty days after receipt of such
15 request. Said authority may approve such modification request not
16 later than one hundred twenty days after receipt of such request.
17 Factors affecting such modification shall be limited to location, contract
18 pricing and schedule attributable to the change in location. No existing

19 electricity purchase agreement shall be cancelled or deemed in
20 noncompliance by an electric distribution company until such
21 modification is approved.

22 (b) The administrator of any project utilizing a biomass facility with
23 an electricity purchase agreement entered into and approved by the
24 Public Utilities Regulatory Authority pursuant to subsection (h) of
25 section 16-244c may submit a request to said authority for a
26 modification to such purchase agreement that would permit the
27 project to utilize additional sustainable biomass fuel. Said authority
28 shall open a docket to review such modification request not later than
29 thirty days after receipt of such request. Said authority may approve
30 such modification request not later than one hundred twenty days
31 after receipt of such request. Factors affecting such modification shall
32 be limited to the utilization of additional sustainable biomass fuel.

33 Sec. 2. Section 16-244u of the general statutes is amended by adding
34 subsection (h) as follows (*Effective from passage*):

35 (NEW) (h) Where a virtual net metering facility or agricultural
36 virtual net metering facility requires a permit from the Department of
37 Energy and Environmental Protection under chapter 446c or chapter
38 446d and the municipal, state or agricultural customer host has
39 submitted a virtual net metering application to the electric distribution
40 company for such virtual net metering facility or agricultural virtual
41 net metering facility on or before December 1, 2015, and the electric
42 distribution company has accepted such virtual net metering
43 application, such municipal, state or agricultural customer host shall
44 have eighteen months from the date of the issuance of the final permit
45 from the Department of Energy and Environmental Protection to cause
46 such virtual net metering facility or agricultural virtual net metering
47 facility to become operational.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	16-244l

Sec. 2	<i>from passage</i>	16-244u
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