



General Assembly

January Session, 2019

Raised Bill No. 1002

LCO No. 5222



Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

AN ACT CONCERNING PHOSPHATE BYWASTES FROM ANAEROBIC DIGESTERS.

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

1 Section 1. Section 16a-3h of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2019*):

3 On or after October 1, 2013, the Commissioner of Energy and
4 Environmental Protection, in consultation with the procurement
5 manager identified in subsection (l) of section 16-2, the Office of
6 Consumer Counsel and the Attorney General, may solicit proposals, in
7 one solicitation or multiple solicitations, from providers of the
8 following resources or any combination of the following resources:
9 Run-of-the-river hydropower, landfill methane gas, biomass, fuel cell,
10 offshore wind or anaerobic digestion, provided such source meets the
11 definition of a Class I renewable energy source pursuant to section 16-
12 1, or energy storage systems. In making any selection of such
13 proposals, the commissioner shall consider factors, including, but not
14 limited to (1) whether the proposal is in the interest of ratepayers,
15 including, but not limited to, the delivered price of such sources, (2)

16 the emissions profile of a relevant facility, (3) any investments made by
17 a relevant facility to improve the emissions profile of such facility, (4)
18 the length of time a relevant facility has received renewable energy
19 credits, (5) any positive impacts on the state's economic development,
20 (6) whether the proposal is consistent with requirements to reduce
21 greenhouse gas emissions in accordance with section 22a-200a,
22 including, but not limited to, the development of combined heat and
23 power systems, (7) whether the proposal is consistent with the policy
24 goals outlined in the Comprehensive Energy Strategy adopted
25 pursuant to section 16a-3d, (8) whether the proposal promotes electric
26 distribution system reliability and other electric distribution system
27 benefits, including, but not limited to, microgrids, (9) whether the
28 proposal promotes the policy goals outlined in the state-wide solid
29 waste management plan developed pursuant to section 22a-241a, [and]
30 (10) the positive reuse of sites with limited development opportunities,
31 including, but not limited to, brownfields or landfills, as identified by
32 the commissioner in any solicitation issued pursuant to this section,
33 and (11) for solicitations involving such anaerobic digestion, whether
34 technology employed by the owner or operator of such digester
35 enables the conversion of bywastes that contain concentrated levels of
36 phosphates into a commercial end product for agricultural use in this
37 or another state. The commissioner may select proposals from such
38 resources to meet up to six per cent of the load distributed by the
39 state's electric distribution companies, provided the commissioner
40 shall not select proposals for more than three per cent of the load
41 distributed by the state's electric distribution companies from offshore
42 wind resources. The commissioner may direct the electric distribution
43 companies to enter into power purchase agreements for energy,
44 capacity and environmental attributes, or any combination thereof, for
45 periods of not more than twenty years on behalf of all customers of the
46 state's electric distribution companies. Certificates issued by the New
47 England Power Pool Generation Information System for any Class I
48 renewable energy sources procured under this section may be: (A)
49 Sold in the New England Power Pool Generation Information System
50 renewable energy credit market to be used by any electric supplier or

51 electric distribution company to meet the requirements of section 16-
52 245a, provided the revenues from such sale are credited to all
53 customers of the contracting electric distribution company; or (B)
54 retained by the electric distribution company to meet the requirements
55 of section 16-245a. In considering whether to sell or retain such
56 certificates, the company shall select the option that is in the best
57 interest of such company's ratepayers. Any such agreement shall be
58 subject to review and approval by the Public Utilities Regulatory
59 Authority, which review shall be completed not later than sixty days
60 after the date on which such agreement is filed with the authority. The
61 net costs of any such agreement, including costs incurred by the
62 electric distribution companies under the agreement and reasonable
63 costs incurred by the electric distribution companies in connection
64 with the agreement, shall be recovered through a fully reconciling
65 component of electric rates for all customers of electric distribution
66 companies. All reasonable costs incurred by the Department of Energy
67 and Environmental Protection associated with the commissioner's
68 solicitation and review of proposals pursuant to this section shall be
69 recoverable through the nonbypassable federally mandated congestion
70 charges, as defined in section 16-1.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2019</i>	16a-3h

Statement of Purpose:

To provide incentive for the use of technology by operators of anaerobic digesters that enables the conversion of phosphate rich bywastes into a useful commercial product.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]