Bill No.: HB-5381
Title: AN ACT CONCERNING THE RENEWABLE PORTFOLIO STANDARD FOR CLASS II RENEWABLE ENERGY SOURCES.
Vote Date: 3/14/2019
Vote Action: Joint Favorable
PH Date: 2/21/2019
File No.: 173

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SPONSORS OF BILL:
Energy and Technology Committee

CO-SPONSORS OF BILL:

REASONS FOR BILL:
Electric distributors are required to purchase specific percentages of electricity from renewable resource generators under the Renewable Portfolio Standard (RPS) program. Certain electric generators are broken up into specific categories being either Class I or Class II or III this is more or less based on the type of renewable resource they use to generate their electricity. As the law is currently written, electric distributer companies must first purchase certain types of this energy specifically Class I energy up to the enumerated amount (ex. 21% in 2020) and then there is an additional commitment beyond that first percentage (ex. 4% in 2020) that can be comprised of a blend of Class I or Class II.

The bill was created to change the language so that the additional amount past the initial commitment (the 4% for 2020) can only be comprised of Class II renewable energy and no longer a blend of the two classes. Class II generation contains certain trash to energy facilities and if passed this bill should help create additional demand for Class II energy. The bill should also help restore the economic viability of waste to energy facilities.

RESPONSE FROM ADMINISTRATION/AGENCY:
Representative Charles Ferraro – House of Representatives, Connecticut General Assembly:
Rep. Ferraro is in full support of the proposed bill and its intention to resolve the current technical error in the language which allows for Class I energy to be used to fulfill Class II
requirements in the Renewable Portfolio Standard. Rep. Ferraro believes the language of the bill will fix the current system that discourages purchasing from Class II generators by allowing for Class I to also qualify for this requirement. Rep. Ferraro lists the section 22a-208a and 22a-174-33 of the regulations that the need the change. He states that the change will allow waste to energy facilities to increase their economic viability while working toward fixing the growing waste complications throughout the state.

**Katie S. Dykes – Department of Energy & Environmental Protection (DEEP):** DEEP is in opposition due to the bill’s language that expands who would classify as a Class II energy sources in the Renewable Portfolio Standard (RPS) specifically increasing the number of qualifying waste to energy facilities. They state that if we were to allow all waste-to-energy services to be placed in Class II there could be significant financial impacts to the Renewable Energy Certificate (REC) market. DEEP feels that if the permissibility for Class II energy is broadened, there may be effects that harm the REC economy and we should caution against adoption before studying the unintended effects passage of this bill could have.

**NATURE AND SOURCES OF SUPPORT:**

**Frazier Baylock – Covanta Energy:** Is in support of the bill and how it clarifies what types of energy generators can be used to fulfill the distributor’s requirements under the Renewable Portfolio Standards. They believe as the current language is written the distributors are able to use inexpensive Class I energy to fulfill their requirements to purchase either Class I or II thus resulting in decreased prices of Class II energy and significantly hurting their profitability.

**NATURE AND SOURCES OF OPPOSITION:**

**Ben Martin – Resident Wallingford:** Martin opposes the proposed bill and states that the pollution created by the waste to energy facilities is adversely impacting the communities surrounding them. Martin feels there are other ways to develop the energy needed other than using the trash to energy systems which ultimately increase pollution and do not boost economic growth. Martin states that alternative clean energy solutions need to be explored and the current waste to energy companies do not offer a helpful solution.

**Chris Phelps – Environment Connecticut:** Environment CT feels this bill would lead to dependence on energy production from waste incineration as a form of management for the states municipal solid waste (MSW). Environment CT feels the state should move away from MSW energy and focus on long-term solutions.

**Peter Rothstein – Northeast Clean Energy Council (NECEC):** The NECEC is in opposition to increasing the amount of “high-emitting trash-to-energy facilities” to Connecticut’s current Class II RPS.

**Tom Swan – Connecticut Citizen Action Group (CCAG):** CCAG is in opposition to making all waste-to-energy facilities qualify as Class II energy generators. The CCAG feels that waste to energy facilities are not beneficial to the environment and therefore do not belong in the Class II energy category.

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Reported by: Ethan J. Meskill          Date: 3/27/19