

HOUSE BILL No. 2515

By Committee on Utilities

1-13

AN ACT concerning electricity generated from renewable resources or technologies; placing certain requirements on state agencies and certain electric service providers; providing penalties for noncompliance; prescribing the rate of return on investment in certain generation facilities.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) On and after January 1, 2006, not less than 2.5% of the total amount of electricity consumed by each state agency shall be electricity generated from renewable energy resources or technologies, as defined in K.S.A. 79-201, and amendments thereto. The requirement of this subsection shall apply regardless of the provider of the agency's electric service and the electricity shall be provided at the provider's standard rates for electric service. The agency head, in the agency head's discretion, may determine that: (1) The requirement of this subsection shall apply to each facility under the control of such agency; or (2) such requirement shall apply to the aggregate consumption of all facilities under the control of such agency, with greater consumption attributable to some facilities under the control of such agency being offset by lesser consumption attributable to other facilities under the control of such agency.

(b) If a state agency and its electric service provider are unable to meet the requirements of subsection (a), the agency and utility may apply to the state corporation commission for an extension of the date for compliance by not more than 12 months.

(c) Failure to comply with the requirement of this section shall render the state agency and the electric provider liable for civil fines assessed by the commission for each day of noncompliance.

Sec. 2. Any electric public utility which, on or after January 1, 2004, expands its electric generation through purchased power agreements for generation from facilities using renewable energy resources or technologies, as defined in K.S.A. 79-201, and amendments thereto, or through construction of generation facilities using such resources or technologies, may earn a rate of return on investment in such agreements or facilities equal to 1.5% more than the rate of return authorized by the state cor-

1 poration commission on investment in electric generation facilities using
2 fossil fuel or nuclear power.

3 Sec. 3. This act shall take effect and be in force from and after its
4 publication in the statute book.

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43