

As Amended by House Committee

HOUSE BILL No. 2241

By Committee on Energy and Environment

2-6

Proposed Amendment
3/19/13
Prepared by M Sterling
Revisor of Statutes Office

1 AN ACT concerning energy; relating to renewable energy portfolio
2 standards; amending K.S.A. 2012 Supp. 66-1258 and repealing the
3 existing section.

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

5 Section 1. K.S.A. 2012 Supp. 66-1258 is hereby amended to read as
6 follows: 66-1258. (a) The commission shall establish by rules and
7 regulations a portfolio requirement for all affected utilities to generate or
8 purchase electricity generated from renewable energy resources or
9 purchase renewable energy credits. For the purposes of calculating the
10 capacity from renewable energy credit purchases, the affected utility shall
11 use its actual capacity factor from its owned renewable generation from
12 the immediately previous calendar year. Renewable energy credits may
13 only be used to meet a portion of portfolio requirements for the years
14 2011, 2016 and 2020 and 2018, unless otherwise allowed by the
15 commission. Such portfolio requirement shall provide net renewable
16 generation capacity that shall constitute the following portion of each
17 affected utility's peak demand:

18 (1) Not less than 10% of the affected utility's peak demand for
19 calendar years 2011 through 2017, based on the average demand of
20 the prior three years of each year's requirement; and

21 (2) not less than 15% of the affected utility's peak demand for
22 ~~beginning in calendar years 2016 through 2019, year 2018, based on the~~
23 ~~average demand of the prior three years of each year's requirements. Any~~
24 ~~new generation added to an affected utility's portfolio after calendar year~~
25 ~~2020 shall not be included in determining the utility's portfolio~~
26 ~~requirement. After calendar year 2020, an affected utility's portfolio~~
27 ~~requirement shall be based on what such utility's average demand was~~
28 ~~for the utility to meet the portfolio requirements for calendar year~~
29 ~~2020. The commission may delay the 15% portfolio requirement for an~~
30 ~~affected utility for a specified period of time upon a showing of good~~
31 ~~cause. Good cause includes, but is not limited to, the availability of firm~~
32 ~~transmission service or excessive costs to retail electric customers; and~~
33 ~~(3) not less than 20% of the affected utility's peak demand for each~~
34 ~~calendar year beginning in 2020, based on the average demand of the prior~~
35 ~~three years of each year's requirement.~~

for calendar years 2018 through 2029,

(3) not less than 17.5% of the affected utility's peak demand for each calendar year beginning in 2030, based on what such utility's average demand was for the utility to meet the portfolio requirements for calendar year 2013. The commission may delay the 17.5% portfolio requirement for an affected utility for a specified period of time upon a showing of good cause. Good cause includes, but is not limited to the availability of firm transmission service or excessive costs to retail electric customers

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1 (b) The portfolio requirements described in subsection (a) shall apply
2 to all power sold to Kansas retail consumers whether such power is self-
3 generated or purchased from another source in or outside of the state. The
4 capacity of all net metering systems interconnected with the affected
5 utilities under the net metering and easy connection act in K.S.A. 2012
6 Supp. 66-1263 et seq., and amendments thereto, shall count toward
7 compliance.

8 (c) Each megawatt of eligible capacity in Kansas installed after
9 January 1, 2000, shall count as 1.10 megawatts for purposes of
10 compliance.

11 (d) *As used in this section, "firm transmission service" means*
12 ~~*transmission service that may not be interrupted for any reason except*~~
13 ~~*during an emergency when continued delivery of power is not possible.*~~

14 (e) The commission shall establish rules and regulations required in
15 this section within 12 months of the effective date of this act.

16 Sec. 2. K.S.A. 2012 Supp. 66-1258 is hereby repealed.

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

the highest quality transmission service offered to customers under a filed rate schedule that anticipates no planned interruption. "Firm transmission service" does not mean transmission service that is reserved on a non-firm basis or on an as-available basis and is subject to curtailment or interruption