

By: Shapleigh

S.B. No. 620

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the state's goal for non-wind renewable electric  
3 generating capacity.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Sections 39.904(a) and (o), Utilities Code, are  
6 amended to read as follows:

7 (a) It is the intent of the legislature that by January 1,  
8 2015, an additional 6,000 [~~5,000~~] megawatts of generating capacity  
9 from renewable energy technologies will have been installed in this  
10 state. The cumulative installed renewable capacity in this state  
11 shall total 6,880 [~~5,880~~] megawatts by January 1, 2015, and the  
12 commission shall establish a target of 11,000 [~~10,000~~] megawatts of  
13 installed renewable capacity by January 1, 2025. The cumulative  
14 installed renewable capacity in this state shall total 5,264 [~~2,280~~  
15 ~~megawatts by January 1, 2007, 3,272 megawatts by January 1, 2009,~~  
16 ~~4,264~~] megawatts by January 1, 2011, 6,256 [~~5,256~~] megawatts by  
17 January 1, 2013, and 6,880 [~~5,880~~] megawatts by January 1, 2015. Of  
18 the renewable energy technology generating capacity installed to  
19 meet the goal of this subsection after September 1, 2005, the  
20 commission shall establish a target of having at least 1,500 [~~500~~]  
21 megawatts of capacity from a renewable energy technology other than  
22 a source using wind energy by January 1, 2015.

23 (o) The commission may establish an alternative compliance  
24 payment. An entity that has a renewable energy purchase

1 requirement under this section may elect to pay the alternative  
2 compliance payment instead of applying renewable energy credits  
3 toward the satisfaction of the entity's obligation under this  
4 section. The commission may establish a separate alternative  
5 compliance payment for the goal of 1,500 [~~500~~] megawatts of  
6 capacity from renewable energy technologies other than wind energy.  
7 The alternative compliance payment for a renewable energy purchase  
8 requirement that could be satisfied with a renewable energy credit  
9 from wind energy may not be less than \$2.50 per credit or greater  
10 than \$20 per credit. Prior to September 1, 2009, an alternative  
11 compliance payment under this subsection may not be set above \$5 per  
12 credit. In implementing this subsection, the commission shall  
13 consider:

14 (1) the effect of renewable energy credit prices on  
15 retail competition;

16 (2) the effect of renewable energy credit prices on  
17 electric rates;

18 (3) the effect of the alternative compliance payment  
19 level on the renewable energy credit market; and

20 (4) any other factors necessary to ensure the  
21 continued development of the renewable energy industry in this  
22 state while protecting ratepayers from unnecessary rate increases.

23 SECTION 2. This Act takes effect immediately if it receives  
24 a vote of two-thirds of all the members elected to each house, as  
25 provided by Section 39, Article III, Texas Constitution. If this  
26 Act does not receive the vote necessary for immediate effect, this  
27 Act takes effect September 1, 2009.