

By: Rodriguez

H.B. No. 211

A BILL TO BE ENTITLED

AN ACT

relating to this state's goal for renewable energy.

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

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

(a) It is the intent of the legislature that by January 1, 2020, at least 35 percent of the generating capacity in this state will be from renewable energy technologies, with at least 2 percent of the generating capacity in this state from solar energy technologies [~~2015, an additional 5,000 megawatts of generating capacity from renewable energy technologies will have been installed in this state. The cumulative installed renewable capacity in this state shall total 5,880 megawatts by January 1, 2015, and the commission shall establish a target of 10,000 megawatts of installed renewable capacity by January 1, 2025. The cumulative installed renewable capacity in this state shall total 2,280 megawatts by January 1, 2007, 3,272 megawatts by January 1, 2009, 4,264 megawatts by January 1, 2011, 5,256 megawatts by January 1, 2013, and 5,880 megawatts by January 1, 2015. Of the renewable energy technology generating capacity installed to meet the goal of this subsection after September 1, 2005, the commission shall establish a target of having at least 500 megawatts of capacity from a renewable energy technology other than a source using wind energy~~].

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

16 (1) the effect of renewable energy credit prices on
17 retail competition;

18 (2) the effect of renewable energy credit prices on
19 electric rates;

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

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

25 SECTION 2. This Act takes effect immediately if it receives
26 a vote of two-thirds of all the members elected to each house, as
27 provided by Section 39, Article III, Texas Constitution. If this

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1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2011.