

As Amended by House Committee

HOUSE BILL No. 2241

By Committee on Energy and Environment

2-6

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 2015 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 ~~for~~
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

34 (3) not less than 20% of the affected utility's peak demand for each
35 calendar year beginning in 2020, based on the average demand of the prior
36 three years of each year's requirement.

, except that such portfolio requirement shall not be effective until the generation facility for which a prevention of significant deterioration permit was issued pursuant to K.S.A. 65-3029, and amendments thereto, has begun operation

Schwab