

SENATE BILL No. 82

By Committee on Utilities

1-28

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

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

6 Section 1. K.S.A. 2012 Supp. 66-1258 is hereby amended to read as
7 follows: 66-1258. (a) The commission shall establish by rules and
8 regulations a portfolio requirement for all affected utilities to generate or
9 purchase electricity generated from renewable energy resources or
10 purchase renewable energy credits. For the purposes of calculating the
11 capacity from renewable energy credit purchases, the affected utility shall
12 use its actual capacity factor from its owned renewable generation from
13 the immediately previous calendar year. Renewable energy credits may
14 only be used to meet a portion of portfolio requirements for the years
15 2011, ~~2016 and 2020~~ 2018 and 2024, unless otherwise allowed by the
16 commission. Such portfolio requirement shall provide net renewable
17 generation capacity that shall constitute the following portion of each
18 affected utility's peak demand:

19 (1) Not less than 10% of the affected utility's peak demand for
20 calendar years 2011 through ~~2015~~ 2017, based on the average demand of
21 the prior three years of each year's requirement;

22 (2) not less than 15% of the affected utility's peak demand for
23 calendar years ~~2016 through 2019~~ 2018 through 2023, based on the
24 average demand of the prior three years of each year's requirements. *The*
25 *commission may delay the 15% portfolio requirement for an affected*
26 *utility for a specified period of time upon a showing of good cause. Good*
27 *cause includes, but is not limited to, availability of firm transmission*
28 *service or excessive costs to retail electric customers; and*

29 (3) not less than 20% of the affected utility's peak demand for each
30 calendar year beginning in ~~2020~~ 2024, based on the average demand of the
31 prior three years of each year's requirement. *The commission may waive or*
32 *delay the 20% portfolio requirement for an affected utility for a specified*
33 *period of time upon a showing of good cause. Good cause includes, but is*
34 *not limited to, availability of firm transmission service or excessive costs*
35 *to retail electric customers.*

36 (b) The portfolio requirements described in subsection (a) shall apply

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

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

10 (d) *As used in this section, "firm transmission service" means either*
11 *firm point-to-point transmission service or firm network transmission*
12 *service as defined in the southwest power pool open access transmission*
13 *tariff or other applicable transmission tariff as approved by the federal*
14 *energy regulatory commission.*

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

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

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