

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009**

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**HOUSE BILL 1440  
Committee Substitute Favorable 7/16/09**

Short Title: Study Feed-in Rates.

(Public)

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Sponsors:

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Referred to:

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April 13, 2009

A BILL TO BE ENTITLED  
AN ACT TO AUTHORIZE THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE  
AND THE ENERGY POLICY COUNCIL TO JOINTLY STUDY FEED-IN RATES.

The General Assembly of North Carolina enacts:

**SECTION 1.** The following definitions apply in this act:

- (1) Electric power supplier. – Has the same meaning as in G.S. 62-133.8.
- (2) Renewable energy resource. – Has the same meaning as in G.S. 62-133.8.
- (3) Renewable energy electricity facility. – A facility that produces electricity from a renewable energy resource.
- (4) Renewable energy electricity producer. – An individual, household, company, or business that owns or operates a renewable energy electricity facility that generates electricity from an eligible renewable energy resource.

**SECTION 2.** The Joint Legislative Utility Review Committee and the Energy Policy Council jointly may study the feasibility and suitability of establishing feed-in rates to be paid to renewable energy electricity producers by electric power suppliers for each kilowatt-hour of electricity produced. In conducting the study, the Committee and Council may consider any of the following:

- (1) The implementation and efficacy of feed-in rates that have been established in other states, municipalities, and countries.
- (2) Whether the establishment of feed-in rates would encourage installation and operation of new renewable energy electricity facilities in North Carolina.
- (3) How the establishment of a feed-in rate could be integrated with the provisions of S.L. 2007-397.
- (3) Whether the establishment of a feed-in rate would assist electric power suppliers in meeting the renewable energy portfolio standards established pursuant to G.S. 62-133.8.
- (4) The duration of feed-in rate contracts entered into between renewable energy electricity producers and electric power suppliers.
- (5) The costs and benefits, monetary and otherwise, to the State, electric power suppliers, and ratepayers of establishing feed-in rates.
- (6) Such other matters as the Committee and Council deem appropriate to the conduct of the study.

**SECTION 3.** The Joint Legislative Utility Review Committee and the Energy Policy Council may consult with the North Carolina Utilities Commission and the Public Staff to the Utilities Commission in the undertaking of this study.

**SECTION 4.** The Joint Legislative Utility Review Committee and the Energy Policy Council may submit an interim report and recommendations to the General Assembly on



1 or before the convening of the 2010 Regular Session of the 2009 General Assembly and shall  
2 submit the final report and any recommendations on or before the convening of the 2011  
3 General Assembly.

4 **SECTION 5.** This act is effective when it becomes law.