

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE DRH80605-LD-148 (04/27)

Short Title: Broaden Certain REPS Definitions.

(Public)

Sponsors: Representative Williams.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO BROADEN THE DEFINITIONS OF "RENEWABLE ENERGY RESOURCE"
3 AND "NEW RENEWABLE ENERGY FACILITY" AS THESE DEFINITIONS PERTAIN
4 TO THE RENEWABLE ENERGY AND ENERGY EFFICIENCY PORTFOLIO
5 STANDARD AND TO APPROPRIATE FUNDS TO THE NORTH CAROLINA
6 UTILITIES COMMISSION.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** G.S. 62-133.8(a)(5) reads as rewritten:

9 "(5) 'New renewable energy facility' means a renewable energy facility that
10 ~~either~~ satisfies any one or more of the following criteria:

- 11 a. Was placed into service on or after January 1, 2007.
12 b. Delivers or has delivered electric power to an electric power supplier
13 pursuant to a contract with NC GreenPower Corporation that was
14 entered into prior to January 1, 2007.
15 c. Is a hydroelectric power facility with a generation capacity of 10
16 megawatts or less that delivers electric power to an electric power
17 supplier.
18 d. Is a facility producing synthetic gas created by a plasma gasification
19 of biogenic material such as municipal solid waste, as defined in
20 G.S. 130A-290, or animal waste, as defined in G.S. 143-215.10B."

21 **SECTION 2.** G.S. 62-133.8(a)(8) reads as rewritten:

22 "(8) 'Renewable energy resource' means a solar electric, solar thermal, wind,
23 hydropower, geothermal, or ocean current or wave energy resource; a
24 synthetic gas created by the plasma gasification of biogenic material such as
25 municipal solid waste, as defined in G.S. 130A-290, or animal waste, as
26 defined in G.S. 143-215.10B; a biomass resource, including agricultural
27 waste, animal waste, wood waste, spent pulping liquors, combustible
28 residues, combustible liquids, combustible gases, energy crops, or landfill
29 methane; waste heat derived from a renewable energy resource and used to
30 produce electricity or useful, measurable thermal energy at a retail electric
31 customer's facility; or hydrogen derived from a renewable energy resource.
32 'Renewable energy resource' does not include peat, a fossil fuel, or nuclear
33 energy resource."



1 **SECTION 3.** There is appropriated from the General Fund to the North Carolina
2 Utilities Commission the sum of twenty-five thousand dollars (\$25,000) for the 2010-2011
3 fiscal year to be used to implement this act.

4 **SECTION 4.** Section 3 of this act becomes effective July 1, 2010. The remaining
5 sections of this act are effective when the act becomes law.