

HOUSE No. 3316

By Mr. Jones of North Reading, petition of Bradley H. Jones, Jr., and others relative to the renewable energy portfolio standard concerning improvements at hydroelectric generation facilities. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

PETITION OF:

Bradley H. Jones, Jr.	Robert S. Hargraves
Mary S. Rogeness	Karyn E. Polito
George N. Peterson, Jr.	Susan Williams Gifford
John A. Lepper	Richard J. Ross
Viriato Manuel deMacedo	Paul J. P. Loscocco
Paul K. Frost	Donald F. Humason, Jr.
Elizabeth A. Poirier	

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO THE RENEWABLE ENERGY PORTFOLIO STANDARD.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 3 of Chapter 25A of the General Laws, as
2 appearing in the 2004 Official Edition, is hereby amended by
3 inserting after the term “Energy management services” the following
4 definition:—
5 “Incremental new hydroelectric generation”, the percentage
6 increase in average annual electricity production attributable to effi-
7 ciency improvements or additions to capacity placed in service at a
8 hydroelectric facility after December 31, 2000, as certified by the
9 division relative to the historical generation for each eligible hydro-
10 electric facility; provided, however, that historical generation for
11 each eligible hydroelectric facility shall be calculated by the division
12 based on the average electricity generated annually at the facility
13 during the 10 years prior to the capacity addition or efficiency
14 improvements, or the life of the facility, whichever is shorter. In no

15 event shall an energy generation which would have existed in the
16 absence of efficiency improvements or additions to capacity be con-
17 sidered incremental new hydroelectric generation for the purpose of
18 this chapter.

1 SECTION 2. Section 11F of said Chapter 25A, as so appearing, is
2 hereby amended by striking out in lines 15 through 17, inclusive, the
3 words “and (iii) an additional 1 per cent of sales every year thereof
4 until a date determined by the division of energy resources” and
5 inserting in place thereof the following: —

6 “(iii) an additional 1 percent of sales every year thereof until
7 December 31, 2011;

8 (iv) an additional 2 percent of sales every year thereof until
9 December 31, 2016; and

10 (v) an additional 3 percent of sales every year thereof until
11 December 31, 2019. Beginning January 1, 2008 the division of
12 energy resources shall submit to the clerk of the senate and the house
13 of representatives an annual report regarding the status of the renew-
14 able energy portfolio standard outlining the division’s legislative rec-
15 ommendations needed to advance the production of renewable
16 energy generating sources in the Commonwealth. The division of
17 energy resources shall increase the scheduled minimum percentage
18 of kilowatt-hours sales to end-use customers, outlined in clauses (i)
19 through (v), inclusive, if it is determined by the division that such
20 percentages are easily obtained and may be increased without an
21 increased cost to the end-use customers of the Commonwealth.”

1 SECTION 3. Section 11F of said Chapter 25A, as so appearing, is
2 hereby amended, in lines 33, by inserting after the words “clauses
3 (vi) and (vii) herein”, the following: —

4 “, but shall include incremental new hydroelectric generation
5 which does not involve pumped storage of water or any new
6 impoundment or diversion of water, and where such facility meets
7 the requirements for classification as low impact hydropower as cer-
8 tified by the Low Impact Hydropower Institute or as certified by the
9 division in accordance with comparable environmental certification
10 standards.”