

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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HOUSE BILL 1981

Short Title: Broaden Certain REPS Definitions. (Public)

Sponsors: Representative Williams.

Referred to: Energy and Energy Efficiency, if favorable, Appropriations.

May 26, 2010

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."

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



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