

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE DRS85111-SB-13 (06/13)

Short Title: Promote Electricity Demand Reduction.

(Public)

Sponsors: Senator Hartsell.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROMOTE THE USE OF ELECTRICITY DEMAND REDUCTION TO
3 SATISFY RENEWABLE ENERGY PORTFOLIO STANDARDS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 62-133.8(a) is amended by adding a new subdivision to read:

6 "(3a) "Electricity demand reduction" means a reduction in the electricity demand
7 of a retail electric customer that is voluntary, under the real-time control of
8 both the electric public utility and the retail electric customer, and measured
9 in real time, using two-way communications devices that communicate on
10 the basis of nonproprietary standards that have been initiated, established, or
11 approved by the Institute of Electrical and Electronics Engineers or the
12 International Telecommunications Union."

13 **SECTION 2.** G.S. 62-133.8(b) reads as rewritten:

14 "(b) Renewable Energy and Energy Efficiency Standards (REPS) for Electric Public
15 Utilities. –

16 (1) Each electric public utility in the State shall be subject to a Renewable
17 Energy and Energy Efficiency Portfolio Standard (REPS) according to the
18 following schedule:

19 Calendar Year	REPS Requirement
20 2012	3% of 2011 North Carolina retail sales
21 2015	6% of 2014 North Carolina retail sales
22 2018	10% of 2017 North Carolina retail sales
23 2021 and thereafter	12.5% of 2020 North Carolina retail sales

24 (2) An electric public utility may meet the requirements of this section by any
25 one or more of the following:

- 26 a. Generate electric power at a new renewable energy facility.
27 b. Use a renewable energy resource to generate electric power at a
28 generating facility other than the generation of electric power from
29 waste heat derived from the combustion of fossil fuel.
30 c. Reduce energy consumption through the implementation of an
31 energy efficiency measure; provided, however, an electric public
32 utility subject to the provisions of this subsection may meet up to
33 twenty-five percent (25%) of the requirements of this section through
34 savings due to implementation of energy efficiency measures.



1 Beginning in calendar year 2021 and each year thereafter, an electric
 2 public utility may meet up to forty percent (40%) of the requirements
 3 of this section through savings due to implementation of energy
 4 efficiency measures.

5 d. Purchase electric power from a new renewable energy facility.
 6 Electric power purchased from a new renewable energy facility
 7 located outside the geographic boundaries of the State shall meet the
 8 requirements of this section if the electric power is delivered to a
 9 public utility that provides electric power to retail electric customers
 10 in the State; provided, however, the electric public utility shall not
 11 sell the renewable energy certificates created pursuant to this
 12 paragraph to another electric public utility.

13 e. Purchase renewable energy certificates derived from in-State or
 14 out-of-state new renewable energy facilities. Certificates derived
 15 from out-of-state new renewable energy facilities shall not be used to
 16 meet more than twenty-five percent (25%) of the requirements of this
 17 section, provided that this limitation shall not apply to an electric
 18 public utility with less than 150,000 North Carolina retail
 19 jurisdictional customers as of December 31, 2006.

20 f. Use electric power that is supplied by a new renewable energy
 21 facility or saved due to the implementation of an energy efficiency
 22 measure that exceeds the requirements of this section for any
 23 calendar year as a credit towards the requirements of this section in
 24 the following calendar year or sell the associated renewable energy
 25 certificates.

26 g. Electricity demand reduction."

27 **SECTION 3.** G.S. 62-133.8(c) reads as rewritten:

28 "(c) Renewable Energy and Energy Efficiency Standards (REPS) for Electric
 29 Membership Corporations and Municipalities. –

30 (1) Each electric membership corporation or municipality that sells electric
 31 power to retail electric power customers in the State shall be subject to a
 32 Renewable Energy and Energy Efficiency Portfolio Standard (REPS)
 33 according to the following schedule:

34 Calendar Year	REPS Requirement
35 2012	3% of 2011 North Carolina retail sales
36 2015	6% of 2014 North Carolina retail sales
37 2018 and thereafter	10% of 2017 North Carolina retail sales

38 (2) An electric membership corporation or municipality may meet the
 39 requirements of this section by any one or more of the following:

- 40 a. Generate electric power at a new renewable energy facility.
- 41 b. Reduce energy consumption through the implementation of
 42 demand-side management or energy efficiency measures.
- 43 c. Purchase electric power from a renewable energy facility or a
 44 hydroelectric power facility, provided that no more than thirty
 45 percent (30%) of the requirements of this section may be met with
 46 hydroelectric power, including allocations made by the Southeastern
 47 Power Administration.
- 48 d. Purchase renewable energy certificates derived from in-State or
 49 out-of-state renewable energy facilities. An electric power supplier
 50 subject to the requirements of this subsection may use certificates

- 1 derived from out-of-state renewable energy facilities to meet no more
- 2 than twenty-five percent (25%) of the requirements of this section.
- 3 e. Acquire all or part of its electric power through a wholesale purchase
- 4 power agreement with a wholesale supplier of electric power whose
- 5 portfolio of supply and demand options meets the requirements of
- 6 this section.
- 7 f. Use electric power that is supplied by a new renewable energy
- 8 facility or saved due to the implementation of demand-side
- 9 management or energy efficiency measures that exceeds the
- 10 requirements of this section for any calendar year as a credit towards
- 11 the requirements of this section in the following calendar year or sell
- 12 the associated renewable energy certificates.
- 13 g. Electricity demand reduction."
- 14 **SECTION 4.** This act is effective when it becomes law.