

Introduced by

Senators Patten, Kessel, Boehm

Representatives Novak, Porter

1 A BILL for an Act to amend and reenact sections 49-02-26 and 49-02-34 of the North Dakota
2 Century Code, relating to qualifications for renewable electricity and recycled energy credits and
3 public reporting requirement; and to repeal sections 49-02-28, 49-02-29, 49-02-30, 49-02-31,
4 49-02-32, and 49-02-33 of the North Dakota Century Code, relating to the state renewable and
5 recycled energy objectives, qualifications and applications to the statewide objectives, the
6 purchase and retirement of renewable energy certificates to meet the objectives, verification of
7 generation and the purchase of certificates, and economic evaluations on the use of renewable
8 and recycled energy.

9 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

10 **SECTION 1. AMENDMENT.** Section 49-02-26 of the North Dakota Century Code is
11 amended and reenacted as follows:

12 **49-02-26. Qualifying for renewable electricity and recycled energy credits –~~Exception~~**
13 **~~for certain hydroelectric facilities.~~**

14 ~~Except as otherwise provided in this section, for~~For purposes of qualifying for renewable
15 electricity and recycled energy credits, electricity must be generated from a source identified in
16 section 49-02-25. ~~For electricity generated from hydroelectric facilities, the hydroelectric facility~~
17 ~~must have an inservice date of January 1, 2007, or later, or be new hydroelectric generation~~
18 ~~obtained from repowering or efficiency improvements to hydroelectric facilities existing on~~
19 ~~August 1, 2007.~~

20 **SECTION 2. AMENDMENT.** Section 49-02-34 of the North Dakota Century Code is
21 amended and reenacted as follows:

1 **49-02-34. Public reporting on ~~progress toward meeting the renewable energy and~~**
2 **~~recycled energy objective.~~**

3 ~~Commencing on June 30, 2009, retail providers shall report annually on the provider's~~
4 ~~previous calendar year's energy sales. This report must include information regarding qualifying~~
5 ~~electricity delivered and renewable energy and recycled energy certificates purchased and~~
6 ~~retired as a percentage of annual retail sales and a brief narrative report that describes steps~~
7 ~~taken to meet the objective over time and identifies any challenges or barriers encountered in~~
8 ~~meeting the objective. Retail providers shall report annually to the public service commission,~~
9 ~~which regarding the provider's previous calendar year energy sales. The commission shall~~
10 ~~make data and narrative reports publicly available and accessible electronically on the internet.~~
11 ~~Distribution cooperatives may aggregate their reporting through generation and transmission~~
12 ~~cooperatives and municipal utilities may aggregate their reporting through a municipal power~~
13 ~~agency.~~

14 **SECTION 3. REPEAL.** Sections 49-02-28, 49-02-29, 49-02-30, 49-02-31, 49-02-32, and
15 49-02-33 of the North Dakota Century Code are repealed.