

PROPOSED AMENDMENTS TO

SENATE BILL NO. 2359

Introduced by

Senators Patten, Kessel, Boehm

Representatives Novak, Porter

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

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

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

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

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

3 ~~— **49-02-34. Public reporting on progress toward meeting the renewable energy and**~~
4 ~~**recycled energy objective.**~~

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

16 **SECTION 2. REPEAL.** Sections 49-02-28, 49-02-29, 49-02-30, 49-02-31, 49-02-32, ~~and~~
17 ~~49-02-33, and 49-02-34~~ of the North Dakota Century Code are repealed.