

As Amended by House Committee

Session of 2013

HOUSE BILL No. 2241

By Committee on Energy and Environment

2-6

1 AN ACT concerning energy; relating to renewable energy portfolio
2 standards; amending K.S.A. 2012 Supp. 66-1258 and repealing the
3 existing section.

4
5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2012 Supp. 66-1258 is hereby amended to read as
7 follows: 66-1258. (a) The commission shall establish by rules and
8 regulations a portfolio requirement for all affected utilities to generate or
9 purchase electricity generated from renewable energy resources or
10 purchase renewable energy credits. For the purposes of calculating the
11 capacity from renewable energy credit purchases, the affected utility shall
12 use its actual capacity factor from its owned renewable generation from
13 the immediately previous calendar year. Renewable energy credits may
14 only be used to meet a portion of portfolio requirements for the years
15 2011, ~~2016 and 2020~~ and 2018, unless otherwise allowed by the
16 commission. Such portfolio requirement shall provide net renewable
17 generation capacity that shall constitute the following portion of each
18 affected utility's peak demand:

19 (1) Not less than 10% of the affected utility's peak demand for
20 calendar years 2011 through ~~2015~~ 2017, based on the average demand of
21 the prior three years of each year's requirement; and

22 (2) not less than 15% of the affected utility's peak demand ~~for~~
23 *beginning in* calendar years ~~2016 through 2019~~ year 2018, based on the
24 average demand of the prior three years of each year's requirements. ~~Any~~
25 ~~new generation added to an affected utility's portfolio after calendar year~~
26 ~~2020 shall not be included in determining the utility's portfolio~~
27 ~~requirement~~ **After calendar year 2020, an affected utility's portfolio**
28 **requirement shall be based on what such utility's average demand was**
29 **for the utility to meet the portfolio requirements for calendar year**
30 **2020. The commission may delay the 15% portfolio requirement for an**
31 *affected utility for a specified period of time upon a showing of good*
32 *cause. Good cause includes, but is not limited to, the availability of firm*
33 *transmission service or excessive costs to retail electric customers;* ~~and~~

34 ~~(3) not less than 20% of the affected utility's peak demand for each~~
35 ~~calendar year beginning in 2020, based on the average demand of the prior~~
36 ~~three years of each year's requirement.~~

1 (b) The portfolio requirements described in subsection (a) shall apply
2 to all power sold to Kansas retail consumers whether such power is self-
3 generated or purchased from another source in or outside of the state. The
4 capacity of all net metering systems interconnected with the affected
5 utilities under the net metering and easy connection act in K.S.A. 2012
6 Supp. 66-1263 et seq., and amendments thereto, shall count toward
7 compliance.

8 (c) Each megawatt of eligible capacity in Kansas installed after
9 January 1, 2000, shall count as 1.10 megawatts for purposes of
10 compliance.

11 (d) *As used in this section, "firm transmission service" means*
12 *transmission service that may not be interrupted for any reason except*
13 *during an emergency when continued delivery of power is not possible.*

14 (e) The commission shall establish rules and regulations required in
15 this section within 12 months of the effective date of this act.

16 Sec. 2. K.S.A. 2012 Supp. 66-1258 is hereby repealed.

17 Sec. 3. This act shall take effect and be in force from and after its
18 publication in the statute book.