

2009 SESSION

INTRODUCED

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HOUSE BILL NO. 2152

Offered January 14, 2009

Prefiled January 13, 2009

A *BILL to amend the Code of Virginia by adding a section numbered 56-235.1:1, relating to electric rates for stand-by service for certain renewable cogeneration facilities.*

Patron—Rust

Referred to Committee on Commerce and Labor

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 56-235.1:1 as follows:

§ 56-235.1:1. *Rates for stand-by electric service at renewable cogeneration facilities.*

A. *The Commission shall adopt regulations pursuant to its rules of practice and procedure that require the rates charged by an electric utility for stand-by service to customers that operate a cogeneration facility in the Commonwealth that generates renewable energy, as defined in § 56-576, to vary according to the facility's renewable source of energy, based on differences in the respective reliability of sources of renewable energy. Such regulations shall recognize that a utility's capacity charges for stand-by service shall cover the costs of transformers and other equipment required to provide service specifically to the facility when the generation facility is not generating sufficient power to meet the customer's needs, but shall not require such a customer to pay, through stand-by service rates, costs for capacity or generation, including fuel costs, that are not based on the customer's actual electricity consumption. In addition, the regulations shall provide that any customer that operates a renewable cogeneration facility in the Commonwealth with a nameplate capacity not exceeding five megawatts shall not be required to pay a stand-by service charge.*

B. *Within 90 days following the effective date of the regulations adopted pursuant to subsection A, each public utility providing electric service in the Commonwealth shall submit a plan setting forth how the utility will comply with the regulations. The Commission shall, after notice and the opportunity for hearing, determine whether a utility's plan complies with the regulations.*

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