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SENATE BILL NO. 267

Senate Amendments in [] — February 16, 2010

A *BILL to amend and reenact §§ 30-305 and 67-202 of the Code of Virginia, relating to the Virginia Commission on Energy and the Environment.*

Patron Prior to Engrossment—Senator Whipple

Referred to Committee on Rules

Be it enacted by the General Assembly of Virginia:**1. That §§ 30-305 and 67-202 of the Code of Virginia are amended and reenacted as follows:**

§ 30-305. Powers and duties.

The Commission shall have the following powers and duties:

1. To undertake studies, gather information and data, and make recommendations as may be necessary to accomplish its purposes as set forth in this chapter, including:

- a. To evaluate the impact of state and federal energy statutes and regulations;
- b. To identify reliable supplies of energy;
- c. To pursue distributed generation plans;
- d. To evaluate the upgrading electric power grids and other energy infrastructure;
- e. To evaluate the impact of carbon taxing, cap and trade programs, carbon sequestration, or other carbon measures on the rate payer and utility;
- f. To evaluate the research, development, and use of alternative and renewable sources of energy;
- g. To evaluate remote power production;
- h. To evaluate demand-side energy conservation by utilities and consumers with appropriate return on investments by utilities;

- i. To evaluate energy efficiency goals;

- j. To evaluate renewable energy portfolios;

- k. To evaluate all energy consumption and demand reduction alternatives, their ability to reduce energy growth, their cost effectiveness, economic impacts on the Commonwealth, and impacts on the rate payers;

- l. To evaluate programs that reduce energy consumption;

- m. To evaluate low-income energy assistance programs; ~~and~~

- n. *To review and consider the direct and indirect impacts of energy production and use on the Commonwealth's environment and natural resources; [~~and~~]*

- o. *[To review and consider the impact of environmental laws, regulations, and initiatives on the Commonwealth's energy supplies; and*

- p.] To evaluate rate decoupling, time-of-use pricing, building standards for energy efficient commercial and residential buildings or public buildings, and transportation demand management. Wherever possible, the Commission shall examine opportunities to couple the achievement of its purposes with economic development;

2. Make such special studies of and reports on measures to secure Virginia's energy future as it deems appropriate or as may be requested by the General Assembly;

3. Establish advisory committees composed of persons with special expertise not represented by individuals serving on the Commission. Such persons shall serve without compensation, but shall be reimbursed from funds appropriated or otherwise available to the Commission for reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825, unless they waive reimbursement;

4. Apply for, accept, and expend gifts, grants or donations from any public or private sources to enable the Commission to carry out its objectives. No person that provides a gift, grant, or donation shall be eligible for a contract award resulting from a Commission recommendation;

5. Review and make recommendations on legislation affecting energy policy to the General Assembly; and

6. Report annually on its activities during the preceding year and include a discussion of studies made and recommendations for legislative action. The chairman shall submit to the General Assembly and the Governor an annual executive summary of the interim activity and work of the Commission no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

§ 67-202. Schedule.

ENGROSSED

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- 60 A. The Division shall complete the Plan by July 1, 2007.
- 61 B. Prior to completion of the Plan and updates thereof, the Division shall present drafts to, and
- 62 consult with, the Coal and Energy Commission, *the Virginia Commission on Energy and Environment*,
- 63 and the Commission on Electric Utility Regulation.
- 64 C. The Plan shall be updated by the Division and submitted as provided in § 67-203 by July 1, 2010,
- 65 and every four years thereafter. Updated reports shall reassess goals for energy conservation based on
- 66 progress to date in meeting the goals in the previous plan and lessons learned from attempts to meet
- 67 such goals.