

State Corporation Commission 2024 Session Fiscal Impact Statement

1. Bill Number: HB636

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. Patron: Sullivan

3. Committee: Committee on Counties, Cities and Towns

4. Title: Siting of energy facilities; approval by the State Corporation Commission.

5. Summary: Establishes a procedure under which an electric utility or independent power provider (applicant) is able to obtain approval for a certificate from the State Corporation Commission for the siting of an energy facility rather than from the governing body of a locality. Under the bill, applicants are authorized to submit an application to the Commission if (i) the locality fails to timely approve or deny an application; (ii) the application complies with certain requirements for Commission approval, but a host locality denies the application; or (iii) the locality amends its zoning ordinance after it has notified the applicant that its requirements are compatible with the requirements for Commission approval, and the amendment imposes additional requirements that are more restrictive. The bill provides that an applicant who is issued a certificate by the Commission for an energy facility is exempt from obtaining approvals or permits, including any land use approvals or permits under the regulations and ordinances of the locality.

The bill applies to any solar energy facility with a capacity of 50 megawatts or more, any wind energy facility with a capacity of 100 megawatts or more, and any energy storage facility with a nameplate capacity of 50 megawatts or more and an energy discharge capability of 200 megawatt hours or more.

The bill contains deadlines for the Commission to act on certificate applications.

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: Preliminary. See Item 8.

8. Fiscal Implications: Review of siting applications for energy facilities as defined in the bill may require two additional employees to manage the anticipated work and possibly a consultant with expertise in siting requirements. The estimated cost is \$211,000 (NGF 02080) which can be absorbed within the appropriation included in the introduced budget (HB 30). The bill authorizes the Commission to assess reasonable application fees.

9. Specific Agency or Political Subdivisions Affected: State Corporation Commission

10. Technical Amendment Necessary: No.

11. Other Comments: SB 567 is similar to HB 636.

AS 1/12/24
FDO 1/18/2024