

State Corporation Commission 2009 Fiscal Impact Statement

1. Bill Number: HB2267

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

2. Patron: Poindexter

3. Committee: Commerce and Trade

4. Title: **Renewable energy facilities.**

5. Summary: Renewable energy facilities. Defines a renewable energy facility, for purposes of Title 56, as a facility that either: (i) generates thermal or electric power primarily by the use of a renewable energy resource; (ii) uses heat primarily derived from a renewable energy resource to produce electricity or useful, measurable thermal or mechanical energy at a facility of an electric utility's retail customer; (iii) is a solar thermal energy facility, or (iv) specifically allows for co-firing with non-renewable energy resources as long as non-renewable energy resources are not the primary energy source. Hydroelectric power facilities are excluded from the scope of the term. The measure also defines a renewable energy resource as a solar electric, solar thermal, wind, hydropower, geothermal, or ocean current or wave energy resource; biomass; heat derived from a renewable energy resource and used to produce electricity or useful, measurable thermal energy at a retail electric customer's facility; or hydrogen derived from a renewable energy resource. Finally, the measure defines "biomass" as organic material, including materials that are within the scope of "biomass" in the existing section establishing a streamlined environmental permitting process for qualified energy generators, and (a) organic refuse-derived fuel, (b) other industrial solid waste of an organic, non-hazardous nature; and (c) unusable reject materials from recycling operations that are primarily of a cellulosic or lignin nature.

6. Fiscal Impact Estimates: None.

7. Budget Amendment Necessary: No.

8. Fiscal Implications: None.

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

10. Technical Amendment Necessary: No.

11. Other Comments: The defined terms "renewable energy facility" and "renewable energy resource" added to § 56-1 of the Code of Virginia by this bill are not used in any other provision of Title 56 of the Code. As such, the addition of these definitions appears to have no practical effect. While biomass is referenced in the definition of "renewable energy" in § 56-576 of the Code of Virginia, the definition refers to sustainable biomass."

Date: 1/21/2009 T. Faherty
cc: Secretary of Commerce and Trade