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**HOUSE BILL NO. 2219**

Offered January 15, 2015

A *BILL to amend the Code of Virginia by adding a section numbered 56-265.3:2, relating to utility-scale solar energy facilities.*

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 Patron—Yost
 

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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 56-265.3:2 as follows:****§ 56-265.3:2. Certificate to construct solar energy facility.***A. As used in this section:*

*"Phase I Utility" means an investor-owned incumbent electric utility that, as of July 1, 1999, was not bound by a rate case settlement adopted by the Commission that extended in its application beyond January 1, 2002.*

*"Phase II Utility" means an investor-owned incumbent electric utility that, as of July 1, 1999, was bound by a rate case settlement adopted by the Commission that extended in its application beyond January 1, 2002.*

*"Utility" means a Phase I Utility or a Phase II Utility.*

*"Utility-scale solar energy facility" means a facility that (i) is located in the Commonwealth; (ii) is constructed, owned, and operated by a utility; (iii) generates electricity through a concentrating solar power technology or photovoltaic technology; and (iv) has a rated capacity of not less than 20 megawatts.*

*B. To ensure a reliable and adequate supply of electricity, and to promote economic development, a utility may petition the Commission pursuant to § 56-265.2 for a certificate of public convenience and necessity to construct, or cause to be constructed, one or more utility-scale solar energy facilities to meet its native load obligations, whether facilities are located within or without the service territory of the petitioning utility.*

*C. The Commission shall consider any petition filed under subsection B in accordance with its competitive bidding rules promulgated pursuant to § 56-234.3.*

*D. A utility that constructs, or causes to be constructed, a utility-scale solar energy facility for which a certificate of public convenience and necessity has been issued by January 1, 2019, shall have the right to recover the costs of the facility plus, as an incentive to undertake such projects, an enhanced rate of return on common equity, pursuant to subdivision A 6 of § 56-585.1, provided that this subsection shall not apply to any utility-scale solar energy facility if the rated capacities of the facility and all other utility-scale solar energy facilities for which a certificate has been issued pursuant to the provisions of this section exceed 500 megawatts.*

*E. The construction of utility-scale solar energy facilities with an aggregate rated capacity that does not exceed 500 megawatts is in the public interest, and in determining whether to approve such facilities, the Commission shall liberally construe the provisions of this title.*

**2. That the provisions of this act shall expire on January 1, 2019.**

INTRODUCED

HB2219