

# 2022 SESSION

## SENATE SUBSTITUTE

22107181D

### HOUSE BILL NO. 1204

AMENDMENT IN THE NATURE OF A SUBSTITUTE  
(Proposed by the Senate Committee on Commerce and Labor  
on February 28, 2022)

(Patron Prior to Substitute—Delegate Kilgore)

A BILL to prohibit certain requirements regarding renewable energy certificates; priority of procurement.

#### Be it enacted by the General Assembly of Virginia:

1. § 1. Notwithstanding the provisions of subsection C of § 56-585.5 of the Code of Virginia, any Phase I Utility or Phase II Utility, as such terms are defined in subdivision A 1 of § 56-585.1 of the Code of Virginia, shall, for renewable energy portfolio standard (RPS) program compliance years 2023 and 2024, prioritize procurement of renewable energy certificates (RECs) from renewable energy standard sources (RPS eligible sources) located in the Commonwealth, provided that such RECs are cost-competitive when compared with out-of-state sources at the time of procurement. Additionally, to promote economic development in the counties and cities eligible for funding through the Tobacco Commission Region Revitalization Commission, each utility shall include in its annual filing for RPS program compliance years 2023 and 2024 a plan for prioritizing procurement of RECs from RPS eligible sources that are both (i) cost-competitive and (ii) eligible for the Virginia Brownfield and Coal Mine Renewable Energy Grant Fund and Program established pursuant to § 45.2-1725 of the Code of Virginia.

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HB1204S1