

Commission on Energy and Environment: 2009 Legislative Review

- Selected Legislation (Enacted and Failed)
- Legislation Referred to Commission
 - SB 1452 (Petersen)
 - Update on Efficiency Vermont

Selected Legislation: Commission Members (Enacted)

- ▣ SB 911 (Stuart): Golf carts; operation on the highway.
- ▣ SB 1058 (Whipple): Local incentives for green roofs.
- ▣ SB 1128 (Petersen): Construction of wells; geothermal heating systems.
- ▣ HB 2172 (Hogan): Interconnection of renewable generation facilities.
- ▣ HB 2175 (Hogan): Small renewable energy projects; penalty.
- ▣ HB 2268 (Poindexter): Definition of renewable energy.

Selected Legislation (Enacted)

- ▣ HB 1819 (Kilgore): Electric rates of distribution cooperatives.
- ▣ HB 1994 (Bulova): Renewable portfolio standard program.
- ▣ HB 2001 (Cosgrove): Biofuels Production Incentive Grant Program.
- ▣ HB 2002 (Cosgrove): Virginia Energy Plan; biofuels made from nonfood crops.
- ▣ HB 2073 (Scott, E.T.): Weight limit extension; vehicles using an auxiliary power unit or idle reduction technology.

Selected Legislation (Enacted)

- ▣ HB 2155 (Toscano): Net energy metering.
- ▣ HB 2476 (Hugo): HOV lanes; clean special fuel vehicles
- ▣ HB 2506 (Pollard): Energy efficiency programs.
- ▣ HB 2576 (May): Electricity generated from solid waste.
- ▣ SB 1212 (Deeds): Clean energy financing.
- ▣ SB 1350 (Wagner): Marine Resources Commission; offshore renewable resources.

Selected Legislation: Commission Members (Failed)

- ❑ SJ 319 (Whipple): Study; home energy consumption; report.
- ❑ SB 1145 (Whipple): Greenhouse gas emissions; mandatory reporting.
- ❑ SB 1146 (Whipple): Biodiesel and green diesel; minimum content in state contracts for vehicle fuel.
- ❑ SB 908 (Stuart): Condemnations by public service corporations.
- ❑ SB 913 (Stuart): Renewable portfolio standards; forest products.
- ❑ SB 973 (Stuart): Virginia Resources Authority; loans for renewable energy.
- ❑ SB 1124 (Petersen): Commercial clean energy production tax credit.

Selected Legislation: Commission Members (Failed)

- ❑ SB 1125 (Petersen): Income tax; green jobs tax credit.
- ❑ SB 1126 (Petersen): Revises the Commonwealth's stated goal to reduce electric energy consumption.
- ❑ SB 1127 (Petersen): State energy efficiency programs.
- ❑ SB 1252 (Petersen): Green Buildings Act.
- ❑ HJ 713 (Poindexter): Study; Department of Environmental Quality to study disposal of compact fluorescent bulbs; report.
- ❑ HB 2267 (Poindexter): Renewable energy facilities.
- ❑ HB 2173 (Hogan): Utility Facilities Act; renewable energy generators.
- ❑ HB 2174 (Hogan): Retention of energy savings by state agencies.

Selected Legislation (Failed)

- HB 2009 (Ebbin): Incandescent light bulbs.
- HB 2033 (Lingamfelter): State employees; four-day work week.
- HB 2012 (Ebbin): Sale of certain appliances.

Bills Referred to the Commission on Energy and Environment



SB 1452 (Petersen): Efficiency Virginia

Efficiency Vermont

- ❑ S.B. 137 (Enacted 1999)- Transferred energy efficiency programs from utilities to an independent, non-profit association monitored by the Vermont Public Service Board.
- ❑ Previously, the electric utility companies in Vermont retained the consumer charge to implement energy efficiency measures.
- ❑ Efficiency Vermont distributes rebates and develops efficiency and conservation programs for the residential and business communities.
- ❑ The consumer charges, as a percentage of sales, range from 0.18 percent to 2.75 percent, depending on utility.

Efficiency Vermont: 2009 Legislative Changes

- ❑ The Vermont Energy Act of 2009 (H. 446) amended Efficiency Vermont and directed the Department of Public Service (with subsequent Public Service Board approval and enactment) to develop a self-managed energy efficiency pilot program for eligible transmission and industrial electric ratepayers by December 31, 2009.
- ❑ Eligible program participants include customers within the transmission and industrial rate class whose charges to the statewide energy efficiency fund were \$1.5 million or more in 2008. In addition, these customers must have a comprehensive energy management program (ISO-14001 certification satisfies the requirement, other programs are also eligible).
- ❑ Industrial and electrical ratepayers must commit at least \$1 million/year (on average) to the three-year self-managed energy efficiency program.
- ❑ Beginning July 1, 2010 applicants selected to participate in the program will not be required to pay into the Efficiency Vermont as long as they comply with the self-managed program requirements.

SB 1452: Overview

- ❑ **The Fund:** SB 1452 imposes a \$1 per month surcharge (itemized on bill) on rates for retail customers of investor-owned electric utilities and distribution electric cooperatives. Moneys generated from the charge will be deposited in the Energy Efficiency Fund, which shall be administered by a program administrator.
- ❑ **The Program Administrator:** Selected by the State Corporation Commission subject to the approval of the Governor. The program administrator is charged with developing energy efficiency plans and, if approved by the SCC, implementing such plans.
- ❑ **Energy Efficiency Plan:** The SCC shall approve a proposed energy efficiency plan developed by the program administrator if it is consistent with energy objectives of the Virginia Energy Plan and meets certain itemized requirements listed in the bill.

SB 1452: Program Administrator

- ❑ The SCC, subject to approval by the Governor, shall contract with a person to serve as program administrator.
- ❑ The program administrator shall have the following duties:
 - Administer, invest, and account for the energy efficiency charges collected pursuant to § 56-604;
 - Develop and update annually proposals for an energy efficiency plan;
 - Analyze and make recommendations to the SCC regarding proposals for energy efficiency programs to be included in an energy efficiency plan; and
 - Implement an energy efficiency plan that has been approved by the SCC by executing energy efficiency programs in a manner that is consistent with the requirements of this chapter, regulations adopted by the SCC, and other terms of any SCC order approving the applicable energy efficiency plan.

SB 1452: Energy Efficiency Plan

- The Commission shall approve an energy efficiency plan developed by the program administrator for a calendar year only if it finds that the plan:
 - Is consistent with the energy objectives set out in § 67-101 of the Virginia Energy Plan;
 - Provides in the aggregate for the implementation of cost-effective energy efficiency programs that will provide retail customers of utilities in the Commonwealth with reasonable opportunities to participate in energy efficiency programs;
 - Targets energy efficiency and conservation efforts at locations, markets, or customers where they may provide the greatest value;
 - Provides for delivery of energy efficiency programs through cost-effective delivery mechanisms;
 - Requires that the program administrator deliver approved programs in an effective, efficient, timely, and competent manner;
 - Requires verification, on or before January 1, 2012, and every two years thereafter, by an independent auditor of the reported energy and capacity savings and cost effectiveness of programs delivered by the program administrator;
 - Considers the impact on retail electric rates of energy efficiency programs delivered under this chapter; and
 - Is in the public interest.

Questions ??

