

2021 -- H 5762

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N A C T

RELATING TO PUBLIC UTILITIES AND CARRIERS -- RENEWABLE ENERGY
STANDARD

Introduced By: Representatives Ruggiero, Handy, Potter, Carson, Cortvriend, Kislak, and
Shanley

Date Introduced: February 24, 2021

Referred To: House Environment and Natural Resources

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 39-26-4 of the General Laws in Chapter 39-26 entitled "Renewable
2 Energy Standard" is hereby amended to read as follows:

3 **39-26-4. Renewable energy standard.**

4 (a) Starting in compliance year 2007, all obligated entities shall obtain at least three percent
5 (3%) of the electricity they sell at retail to Rhode Island end-use customers, adjusted for electric
6 line losses, from eligible renewable-energy resources, escalating, according to the following
7 schedule:

8 (1) At least three percent (3%) of retail electricity sales in compliance year 2007;

9 (2) An additional one half of one percent (0.5%) of retail electricity sales in each of the
10 following compliance years 2008, 2009, 2010;

11 (3) An additional one percent (1%) of retail electricity sales in each of the following
12 compliance years 2011, 2012, 2013, 2014, provided that the commission has determined the
13 adequacy, or potential adequacy, of renewable-energy supplies to meet these percentage
14 requirements;

15 (4) ~~An additional one and one half percent (1.5%) of retail electricity sales in each of the~~
16 ~~following compliance years 2015, 2016, 2017, 2018 and 2019, and each year thereafter until 2035,~~
17 ~~provided that the commission has determined the adequacy, pursuant to § 39-26-6, of renewable-~~
18 ~~energy supplies to meet these percentage requirements.~~ Starting in compliance year 2022, the

1 renewable energy standard shall be increased annually in such a manner that by compliance year
2 2030, all obligated entities shall obtain one hundred percent (100%) of the electricity that they sell
3 to Rhode Island end-use customers, adjusted for electric line losses, from eligible renewable-energy
4 resources. The commission is authorized to set annual requirements for compliance years 2023
5 through 2029 that are designed to ensure that all obligated entities will be in full compliance with
6 the one hundred percent (100%) requirement by compliance year 2030.

7 (5) [Deleted by P.L. 2016, ch. 144, § 1 and P.L. 2016, ch. 155, § 1].

8 (b) For each obligated entity and in each compliance year, the amount of retail electricity
9 sales used to meet obligations under this statute that are derived from existing renewable-energy
10 resources shall not exceed two percent (2%) of total retail electricity sales.

11 (c) The minimum renewable-energy percentages set forth in subsection (a) shall be met for
12 each electrical energy product offered to end-use customers, in a manner that ensures that the
13 amount of renewable energy of end-use customers voluntarily purchasing renewable energy is not
14 counted toward meeting such percentages.

15 (d) To the extent consistent with the requirements of this chapter, compliance with the
16 renewable-energy standard may be demonstrated through procurement of NE-GIS certificates
17 relating to generating units certified by the commission as using eligible, renewable-energy
18 sources, as evidenced by reports issued by the NE-GIS administrator. Procurement of NE-GIS
19 certificates from off-grid and customer-sited generation facilities, if located in Rhode Island and
20 verified by the commission as eligible, renewable-energy resources, may also be used to
21 demonstrate compliance. With the exception of contracts for generation supply entered into prior
22 to 2002, initial title to NE-GIS certificates from off-grid and customer-sited generation facilities
23 and from all other eligible, renewable-energy resources, shall accrue to the owner of such a
24 generation facility, unless such title has been explicitly deemed transferred pursuant to contract or
25 regulatory order.

26 (e) In lieu of providing NE-GIS certificates pursuant to subsection (d) of this section, an
27 obligated entity may also discharge all or any portion of its compliance obligations by making an
28 alternative compliance payment to the Renewable-Energy-Development Fund established pursuant
29 to § 39-26-7.

30 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would set forth new renewable energy standards increasing annually beginning
2 compliance year 2022 in such a manner that by 2030 all obligated entities shall obtain one hundred
3 percent (100%) of electricity sold at retail to Rhode Island end-use customers from eligible
4 renewable-energy resources.

5 This act would take effect upon passage.

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