

HB5720



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB5720

by Rep. Barbara Flynn Currie

SYNOPSIS AS INTRODUCED:

20 ILCS 3855/1-56

Amends the Illinois Power Agency Act. In a provision concerning the price paid to procure renewable energy credits using monies from the Illinois Power Agency Renewable Energy Resources Fund, directs the Agency to implement a market-based benchmark subject to approval by the Illinois Commerce Commission. Provides that the Agency shall recover all planning and procurement costs. Provides that the Agency may procure renewable energy resources independently as well as in conjunction with a procurement event for certain electric utilities. Effective immediately.

LRB098 20291 RPS 55725 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Power Agency Act is amended by
5 changing Section 1-56 as follows:

6 (20 ILCS 3855/1-56)

7 Sec. 1-56. Illinois Power Agency Renewable Energy
8 Resources Fund.

9 (a) The Illinois Power Agency Renewable Energy Resources
10 Fund is created as a special fund in the State treasury.

11 (b) The Illinois Power Agency Renewable Energy Resources
12 Fund shall be administered by the Agency to procure renewable
13 energy resources. Prior to June 1, 2011, resources procured
14 pursuant to this Section shall be procured from facilities
15 located in Illinois, provided the resources are available from
16 those facilities. If resources are not available in Illinois,
17 then they shall be procured in states that adjoin Illinois. If
18 resources are not available in Illinois or in states that
19 adjoin Illinois, then they may be purchased elsewhere.
20 Beginning June 1, 2011, resources procured pursuant to this
21 Section shall be procured from facilities located in Illinois
22 or states that adjoin Illinois. If resources are not available
23 in Illinois or in states that adjoin Illinois, then they may be

1 procured elsewhere. To the extent available, at least 75% of
2 these renewable energy resources shall come from wind
3 generation. Of the renewable energy resources procured
4 pursuant to this Section at least the following specified
5 percentages shall come from photovoltaics on the following
6 schedule: 0.5% by June 1, 2012; 1.5% by June 1, 2013; 3% by
7 June 1, 2014; and 6% by June 1, 2015 and thereafter. Of the
8 renewable energy resources procured pursuant to this Section,
9 at least the following percentages shall come from distributed
10 renewable energy generation devices: 0.5% by June 1, 2013,
11 0.75% by June 1, 2014, and 1% by June 1, 2015 and thereafter.
12 To the extent available, half of the renewable energy resources
13 procured from distributed renewable energy generation shall
14 come from devices of less than 25 kilowatts in nameplate
15 capacity. Renewable energy resources procured from distributed
16 generation devices may also count towards the required
17 percentages for wind and solar photovoltaics. Procurement of
18 renewable energy resources from distributed renewable energy
19 generation devices shall be done on an annual basis through
20 multi-year contracts of no less than 5 years, and shall consist
21 solely of renewable energy credits.

22 The Agency shall create credit requirements for suppliers
23 of distributed renewable energy. In order to minimize the
24 administrative burden on contracting entities, the Agency
25 shall solicit the use of third-party organizations to aggregate
26 distributed renewable energy into groups of no less than one

1 megawatt in installed capacity. These third-party
2 organizations shall administer contracts with individual
3 distributed renewable energy generation device owners. An
4 individual distributed renewable energy generation device
5 owner shall have the ability to measure the output of his or
6 her distributed renewable energy generation device.

7 (c) The Agency shall procure renewable energy resources at
8 least once each year, which may be done independently or in
9 conjunction with a procurement event for electric utilities
10 required to comply with Section 1-75 of this the Act, and
11 shall, whenever possible, enter into long-term contracts on an
12 annual basis for a portion of the incremental requirement for
13 the given procurement year.

14 (d) The price paid to procure renewable energy credits
15 using monies from the Illinois Power Agency Renewable Energy
16 Resources Fund shall not exceed the winning bid prices paid for
17 like resources procured for electric utilities required to
18 comply with Section 1-75 of this Act. For the purposes of this
19 Section, the Agency shall implement a market-based benchmark
20 subject to approval by the Commission and shall recover all
21 planning and procurement costs.

22 (e) All renewable energy credits procured using monies from
23 the Illinois Power Agency Renewable Energy Resources Fund shall
24 be permanently retired.

25 (f) The procurement process described in this Section is
26 exempt from the requirements of the Illinois Procurement Code,

1 pursuant to Section 20-10 of that Code.

2 (g) All disbursements from the Illinois Power Agency
3 Renewable Energy Resources Fund shall be made only upon
4 warrants of the Comptroller drawn upon the Treasurer as
5 custodian of the Fund upon vouchers signed by the Director or
6 by the person or persons designated by the Director for that
7 purpose. The Comptroller is authorized to draw the warrant upon
8 vouchers so signed. The Treasurer shall accept all warrants so
9 signed and shall be released from liability for all payments
10 made on those warrants.

11 (h) The Illinois Power Agency Renewable Energy Resources
12 Fund shall not be subject to sweeps, administrative charges, or
13 chargebacks, including, but not limited to, those authorized
14 under Section 8h of the State Finance Act, that would in any
15 way result in the transfer of any funds from this Fund to any
16 other fund of this State or in having any such funds utilized
17 for any purpose other than the express purposes set forth in
18 this Section.

19 (Source: P.A. 96-159, eff. 8-10-09; 96-1000, eff. 7-2-10;
20 96-1437, eff. 8-17-10; 97-616, eff. 10-26-11.)

21 Section 99. Effective date. This Act takes effect upon
22 becoming law.