



General Assembly

February Session, 2024

Substitute Bill No. 382



**AN ACT CONCERNING SOLICITATION OF RUN-OF-THE-RIVER
HYDROPOWER AND ENERGY DERIVED FROM OFFSHORE WIND.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 16a-3h of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2024*):

3 On or after [October 1, 2013] July 1, 2024, the Commissioner of Energy
4 and Environmental Protection, in consultation with the procurement
5 manager identified in subsection (l) of section 16-2, the Office of
6 Consumer Counsel and the Attorney General, may solicit proposals, in
7 one solicitation or multiple solicitations, from providers of the following
8 resources or any combination of the following resources: Run-of-the-
9 river hydropower, landfill methane gas, biomass, fuel cell, offshore
10 wind or anaerobic digestion, provided such source meets the definition
11 of a Class I renewable energy source pursuant to section 16-1, or energy
12 storage systems. In making any selection of such proposals, the
13 commissioner shall consider factors, including, but not limited to (1)
14 whether the proposal is in the interest of ratepayers, including, but not
15 limited to, the delivered price of such sources, (2) the emissions profile
16 of a relevant facility, (3) any investments made by a relevant facility to
17 improve the emissions profile of such facility, (4) the length of time a
18 relevant facility has received renewable energy credits, (5) any positive
19 impacts on the state's economic development, (6) whether the proposal
20 is consistent with requirements to reduce greenhouse gas emissions in

21 accordance with section 22a-200a, including, but not limited to, the
22 development of combined heat and power systems, (7) whether the
23 proposal is consistent with the policy goals outlined in the
24 Comprehensive Energy Strategy adopted pursuant to section 16a-3d, (8)
25 whether the proposal promotes electric distribution system reliability
26 and other electric distribution system benefits, including, but not
27 limited to, microgrids, (9) whether the proposal promotes the policy
28 goals outlined in the state-wide solid waste management plan
29 developed pursuant to section 22a-241a, and (10) the positive reuse of
30 sites with limited development opportunities, including, but not limited
31 to, brownfields or landfills, as identified by the commissioner in any
32 solicitation issued pursuant to this section. The commissioner may select
33 proposals from such resources to meet up to six per cent of the load
34 distributed by the state's electric distribution companies, provided the
35 commissioner shall not select proposals for more than three per cent of
36 the load distributed by the state's electric distribution companies from
37 offshore wind resources. The commissioner may direct the electric
38 distribution companies to enter into power purchase agreements for
39 energy, capacity and environmental attributes, or any combination
40 thereof, on behalf of all customers of the state's electric distribution
41 companies, for periods of: [not] (A) Not more than twenty years, [on
42 behalf of all customers of the state's electric distribution companies] if
43 such power purchase agreement is for landfill methane gas, biomass,
44 fuel cell or anaerobic digestion resources, and (B) not more than thirty
45 years, if such power purchase agreement is for run-of-the-river
46 hydropower or offshore wind resources. Certificates issued by the New
47 England Power Pool Generation Information System for any Class I
48 renewable energy sources procured under this section may be: [(A)] (i)
49 Sold in the New England Power Pool Generation Information System
50 renewable energy credit market to be used by any electric supplier or
51 electric distribution company to meet the requirements of section 16-
52 245a, provided the revenues from such sale are credited to all customers
53 of the contracting electric distribution company; or [(B)] (ii) retained by
54 the electric distribution company to meet the requirements of section 16-
55 245a. In considering whether to sell or retain such certificates, the

56 company shall select the option that is in the best interest of such
57 company's ratepayers. Any such agreement shall be subject to review
58 and approval by the Public Utilities Regulatory Authority, which
59 review shall be completed not later than sixty days after the date on
60 which such agreement is filed with the authority. The net costs of any
61 such agreement, including costs incurred by the electric distribution
62 companies under the agreement and reasonable costs incurred by the
63 electric distribution companies in connection with the agreement, shall
64 be recovered through a fully reconciling component of electric rates for
65 all customers of electric distribution companies. All reasonable costs
66 incurred by the Department of Energy and Environmental Protection
67 associated with the commissioner's solicitation and review of proposals
68 pursuant to this section shall be recoverable through the nonbypassable
69 federally mandated congestion charges, as defined in section 16-1.

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | July 1, 2024 | 16a-3h |

Statement of Legislative Commissioners:

The title was changed.

ET *Joint Favorable Subst. -LCO*