

1 S.170

2 Introduced by Senator Bray

3 Referred to Committee on

4 Date:

5 Subject: Public service; renewable energy programs; Standard Offer Program;
6 hydroelectric plants

7 Statement of purpose of bill as introduced: This bill proposes to amend the
8 Standard Offer Program concerning existing small hydroelectric plants.

9 An act relating to the Standard Offer Program and hydroelectric plants

10 It is hereby enacted by the General Assembly of the State of Vermont:

11 Sec. 1. 30 V.S.A. § 8005a(p) is amended to read:

12 (p) Existing hydroelectric plants. Notwithstanding any contrary
13 requirement of this section, no later than January 15, 2013, the Commission
14 shall make a standard offer contract available to existing hydroelectric plants in
15 accordance with this subsection.

16 (1) In this subsection:

17 (A) “Existing hydroelectric plant” means a hydroelectric plant of
18 five MW plant capacity or less that is located in the State, that was in service
19 as of January 1, 2009, that is a qualifying small power production facility
20 under 16 U.S.C. § 796(17)(C) and 18 C.F.R. part 292, and that does not have

1 an agreement with the Commission’s purchasing agent for the purchase of its
2 power pursuant to subdivision 209(a)(8) of this title and Commission rules
3 adopted under subdivision (8). The term includes hydroelectric plants that
4 have never had such an agreement and hydroelectric plants for which such an
5 agreement has expired, ~~provided that the expiration date is prior to December~~
6 ~~31, 2015.~~

7 (B) “LIHI” means the Low-Impact Hydropower Institute.

8 (2) The term of a standard offer contract under this subsection shall be
9 10 or 20 years, at the election of the plant owner.

10 (3) Unless inconsistent with applicable federal law, the price of a
11 standard offer contract shall be ~~the lesser of the following~~ the sum of the
12 following elements:

13 ~~(A) \$0.08 per kWh, adjusted for inflation annually commencing~~
14 ~~January 15, 2013 using the CPI; or~~

15 ~~(B) The sum of the following elements:~~

16 ~~(i)(A)~~ (A) a two-year rolling average of the ISO New England Inc.
17 (ISO-NE) Vermont zone hourly locational marginal price for energy;

18 ~~(ii)(B)~~ (B) a two-year rolling average of the value of the plant’s
19 capacity in the ISO-NE forward capacity market;

20 ~~(iii)(C)~~ (C) the value of avoided line losses due to the plant as a fixed
21 increment of the energy and capacity values;

