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State of Misconsin 2013 - 2014 LEGISLATURE



2013 ASSEMBLY BILL 594

January 3, 2014 - Introduced by Representatives Krug, Kuglitsch, Kulp, Severson, T. Larson and Kahl, cosponsored by Senators Farrow, Petrowski, Grothman and Lassa. Referred to Committee on Energy and Utilities.

AN ACT to amend 196.378 (2) (a) 2. d. and 196.378 (2) (a) 2. e.; and to create

196.378 (2) (a) 2. f. of the statutes; **relating to:** renewable energy portfolio standards.

Analysis by the Legislative Reference Bureau

Under current law, electric utilities and retail electric cooperatives (electric providers) are required to ensure that, in a given year, a specified percentage of the electricity that the utility or cooperative sells to customers is renewable energy. These requirements are commonly referred to as renewable portfolio standards (RPSs), and they include deadlines that apply to an electric provider's renewable energy percentage (REP). In general, an electric provider's REP for a particular year is the percentage that results from dividing the renewable energy sold in year, augmented by certain credits, by the total electricity sold in that year. For the year 2009, current law prohibited an electric provider from decreasing its REP below its baseline renewable percentage (BRP), which is defined as the average of the electric provider's REP for 2001, 2002, and 2003. For the year 2010, current law required an electric provider to increase its REP at least two percentage points above its BRP. For the years 2011 to 2014, current law prohibits an electric provider from decreasing its REP below the percentage required in 2010. For the year 2015, current law requires an electric provider to increase its REP at least six percentage points above its BRP, and for each year thereafter, current law prohibits an electric provider from decreasing its REP below the percentage required in 2015.

This bill creates an exception to the above requirements for the years 2015 and thereafter. The exception applies to an electric provider whose BRP exceeds 12

ASSEMBLY BILL 594

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percent and whose REP for the year 2014 exceeds 14 percent. Under the bill, an electric provider who qualifies for the exception must maintain its REP in the years 2015 and thereafter at a level that is at least two percentage points above its BRP.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 196.378 (2) (a) 2. d. of the statutes is amended to read:

196.378 (2) (a) 2. d. For Except as provided in subd. 2. f., for the year 2015, each electric provider shall increase its renewable energy percentage so that it is at least 6 percentage points above the electric provider's baseline renewable percentage.

Section 2. 196.378 (2) (a) 2. e. of the statutes is amended to read:

196.378 (2) (a) 2. e. For Except as provided in subd. 2. f., for each year after 2015, each electric provider may not decrease its renewable energy percentage below the electric provider's renewable energy percentage required under subd. 2. d.

Section 3. 196.378 (2) (a) 2. f. of the statutes is created to read:

196.378 (2) (a) 2. f. If an electric provider has a baseline renewable percentage that exceeds 12 percent and a renewable energy percentage that exceeds 14 percent for the year 2014, the electric provider shall maintain its renewable energy percentage in the years 2015 and thereafter at a level that is at least 2 percentage points above its baseline renewable percentage.

15 (END)