



## 2011 SENATE BILL 81

1     **AN ACT** *to amend* 196.378 (1) (h) 1m. and 196.378 (2) (b) 1m.; and *to create*  
2             196.378 (1) (dm), 196.378 (1) (m) and 196.378 (2) (b) 1o. of the statutes; **relating**  
3             **to:** eligibility of hydroelectric resources under the renewable portfolio  
4             standard.

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*Analysis by the Legislative Reference Bureau*

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

5             **SECTION 1.** 196.378 (1) (dm) of the statutes is created to read:  
6             196.378 **(1)** (dm) “Large hydroelectric facility” means an electric generating  
7             facility with a capacity of 60 megawatts or more that derives electricity from  
8             hydroelectric power.  
9             **SECTION 2.** 196.378 (1) (h) 1m. of the statutes is amended to read:  
10            196.378 **(1)** (h) 1m. A resource with a capacity of less than 60 megawatts that  
11            derives electricity from hydroelectric power.

**SENATE BILL 81****SECTION 3**

1           **SECTION 3.** 196.378 (1) (m) of the statutes is created to read:

2           196.378 **(1)** (m) “Small hydroelectric facility” means an electric generating  
3 facility with a capacity of less than 60 megawatts that derives electricity from  
4 hydroelectric power.

5           **SECTION 4.** 196.378 (2) (b) 1m. of the statutes is amended to read:

6           196.378 **(2)** (b) 1m. The amount of electricity derived from small hydroelectric  
7 ~~renewable resources~~ facilities that an electric provider may count toward satisfying  
8 the requirements of par. (a) 2. shall be all electricity provided by ~~hydroelectric power~~  
9 such facilities that the electric provider purchased in the reporting year plus all of  
10 the following:

11           a. The average of the amounts of hydroelectric power generated by small  
12 hydroelectric facilities owned or operated by the electric provider for 2001, 2002, and  
13 2003, adjusted to reflect the permanent removal from service of any of those facilities  
14 and adjusted to reflect any capacity increases from improvements made to those  
15 facilities on or after January 1, 2004.

16           b. The amount of hydroelectric power generated in the reporting year by small  
17 hydroelectric facilities owned or operated by the electric provider that are initially  
18 placed in service on or after January 1, 2004.

19           **SECTION 5.** 196.378 (2) (b) 1o. of the statutes is created to read:

20           196.378 **(2)** (b) 1o. An electric provider may count electricity derived from a  
21 large hydroelectric facility toward satisfying the requirements of par. (a) 2. only if the  
22 facility was initially placed in service on or after December 31, 2010, and, if the  
23 facility is located in Manitoba, Canada, all of the following are satisfied:

24           a. The province of Manitoba has informed the commission in writing that the  
25 interim licenses under which the Lake Winnipeg Regulation Project and the

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1 Churchill River Diversion Project were operating on the effective date of this subd.

2 1o. a. .... [LRB inserts date], have been replaced by final licenses.

3 b. The final licenses specified in subd. 1o. a. are in effect under Canadian law.

4 **SECTION 6. Effective date.**

5 (1) This act takes effect on December 31, 2015.

6 (END)