



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2011 Senate Bill 428

**Senate
Amendment 1**

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2011 Senate Bill 428 relates to the Public Service Commission (PSC) and a number of statutes administered by the PSC. Senate Amendment 1 to Senate Bill 428 consists of three items.

The first item of the amendment is technical in nature, deleting an extraneous word.

The second and third items of the amendment relate to renewable resource credits (RRCs) under the renewable portfolio standard (commonly referred to as the RPS). In addition to RRCs created by electric providers based on their sales of electricity derived from renewable resources, *current law* directs the PSC to promulgate rules that allow an electric provider to create RRCs based on various non-electric forms of renewable energy used by itself or by its customers or members, if the use of the energy displaces the use of electricity. The types of renewable energy eligible for creation of RRCs under this provision are solar energy, including solar water heating and direct solar applications such as solar light pipe technology; geothermal energy; biomass; biogas; synthetic gas created by the plasma gasification of waste; densified fuel pellets made from certain solid waste; and fuel produced by pyrolysis of organic or waste material. *The bill* provides that the customers or members of an electric provider, in addition to the electric provider itself, may create RRCs from the use of such non-electric forms of renewable energy.

The second item of the amendment adds wind energy and hydroelectric energy to the list of the forms of energy that may be the basis of RRCs under this provision.

The third item of the amendment adds language specifying the following:

- An electric provider may not create RRCs under this provision based on electricity the electric provider sold to its customers or members and thus already used as the basis of creating RRCs. That is to say, an electric provider cannot double count by creating RRCs under the two provisions for creating RRCs based on the same energy.

- An electric provider may not create RRCs under this provision from hydroelectric sources that are otherwise not eligible for use as the basis of RRCs.

Legislative History

On February 16, 2012, the Senate Committee on Judiciary, Utilities, Commerce, and Government Operations voted to recommend adoption of Senate Amendment 1 to 2011 Senate Bill 428 and to recommend passage of Senate Bill 428, as amended, on votes of Ayes, 5; and Noes, 0.

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