

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H.B. 331
Mar 11, 2019
HOUSE PRINCIPAL CLERK

H

D

HOUSE BILL DRH10144-RI-7

Short Title: Small Hydro Amends.

(Public)

Sponsors: Representatives Szoka and Arp (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE SMALL HYDROELECTRIC POWER FACILITIES CERTAIN
3 TREATMENT SIMILAR TO THAT GIVEN TO SMALL POWER PRODUCERS THAT
4 PRODUCE ENERGY FROM SWINE AND POULTRY WASTE.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.(a)** G.S. 62-156(b)(3) reads as rewritten:

7 "(b) At least every two years, the Commission shall determine the standard contract
8 avoided cost rates to be included within the tariffs of each electric public utility and paid by
9 electric public utilities for power purchased from small power producers, according to the
10 following standards:

11 ...
12 (3) Availability and Reliability of Power. – The rates to be paid by electric public
13 utilities for capacity purchased from a small power producer shall be
14 established with consideration of the reliability and availability of the power.
15 A future capacity need shall only be avoided in a year where the utility's most
16 recent biennial integrated resource plan filed with the Commission pursuant
17 to G.S. 62-110.1(c) has identified a projected capacity need to serve system
18 load and the identified need can be met by the type of small power producer
19 resource based upon its availability and reliability of power, other than
20 hydropower, if the hydroelectric power facility total capacity is equal to or
21 less than five megawatts (MW), or swine or poultry waste for which a need is
22 established consistent with G.S. 62-133.8(e) and (f)."

23 **SECTION 1.(b)** G.S. 62-133.8(i)(4) reads as rewritten:

24 "(i) Adoption of Rules. – The Commission shall adopt rules to implement the provisions
25 of this section. In developing rules, the Commission shall:

26 ...
27 (4) Establish standards for interconnection of renewable energy facilities and
28 other nonutility-owned generation with a generation capacity of 10 megawatts
29 or less to an electric public utility's distribution system; provided, however,
30 that the Commission shall adopt, if appropriate, federal interconnection
31 standards. The standards adopted pursuant to this subdivision shall include an
32 expedited review process for hydroelectric power projects of two megawatts
33 (MW) or less, and swine and poultry waste to energy projects of two
34 megawatts (MW) or less and other measures necessary and appropriate to
35 achieve the objectives of subsections (e) and (f) of this section."

36 **SECTION 2.** This act is effective when it becomes law.

