

HB 166 - AS INTRODUCED

2023 SESSION

23-0678

10/08

HOUSE BILL **166**

AN ACT relative to the elimination of useful thermal energy from renewable energy classes.

SPONSORS: Rep. Harrington, Straf. 18

COMMITTEE: Science, Technology and Energy

ANALYSIS

This bill removes the inclusion of technologies producing useful thermal energy from the minimum electric renewable portfolio standards.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struckthrough]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to the elimination of useful thermal energy from renewable energy classes.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Minimum Electric Renewable Portfolio Standards; Definition; Renewable Energy Source.
2 Amend RSA 362-F:2, XV to read as follows:

3 XV. "Renewable energy source," "renewable source," or "source" means a class I, II, III, or IV
4 source of electricity ~~[or a class I source of useful thermal energy]~~. An electrical generating facility,
5 while selling its electrical output at long-term rates established before January 1, 2007 by orders of
6 the commission under RSA 362-A:4, shall not be considered a renewable source.

7 2 Minimum Electric Renewable Portfolio Standards; Technologies Producing Useful Thermal
8 Removed. Amend RSA 362-F:3 to read as follows:

9 362-F:3 Minimum Electric Renewable Portfolio Standards. For each year specified in the table
10 below, each provider of electricity shall obtain and retire certificates sufficient in number and class
11 type to meet or exceed the following percentages of total megawatt-hours of electricity supplied by
12 the provider to its end-use customers that year, except to the extent that the provider makes
13 payments to the renewable energy fund under RSA 362-F:10, II:

	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2025 and thereafter</u>
14 Class I	0.0%	0.5%	1%	2%	3%	3.8%	5%	6%	[15% (*)] 6%
15 Class II	0.0%	0.0%	0.04%	0.08%	0.15%	0.2%	0.3%	0.3%	[0.7%] 0.3%
16 Class III	[3.5%	4.5%	5.5%	6.5%	1.4%	1.5%	3.0%	8.0%	8.0%] 1%
17 Class IV	0.5%	1%	1%	1%	1%	1.3%	1.4%	1.5%	1.5%.

18
19 ~~[*Class I increases an additional 0.9 percent per year from 2015 through 2025. A set percentage~~
20 ~~of the class I totals shall be satisfied annually by the acquisition of renewable energy certificates~~
21 ~~from qualifying renewable energy technologies producing useful thermal energy as defined in RSA~~
22 ~~362-F:2, XV-a. The set percentage shall be 0.4 percent in 2014, 0.6 percent in 2015, 0.8 percent in~~
23 ~~2016, and increased annually by 0.2 percent per year from 2017 through 2023, after which it shall~~
24 ~~remain unchanged. Class II shall increase to 0.5 percent beginning in 2018, 0.6 percent beginning in~~
25 ~~2019, and 0.7 percent beginning in 2020, otherwise classes II-IV shall remain at the same~~
26 ~~percentages from 2015 through 2025 except as provided in RSA 362-F:4, V-VI.]~~

27 3 Renewable Energy Classes; Useful Thermal Removed. Amend the introductory paragraph of
28 RSA 362-F:4, I to read as follows:

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1 I. Class I (New) shall include the production of electricity ~~[or useful thermal energy]~~ from
2 any of the following, provided the source began operation after January 1, 2006, except as noted
3 below:

4 4 Renewable Energy Classes; Biomass Technologies Producing Useful Thermal Energy
5 Removed. Amend RSA 362-F:4, III to read as follows:

6 III. Class III (~~[Existing Biomass]~~ Methane) shall include the production of electricity ~~[from~~
7 ~~any of the following]~~ **from methane gas**, provided the source began operation prior to January 1,
8 2006 ~~[and except as provided in subparagraph (b)]:~~

9 ~~(a) Eligible biomass technologies having a gross nameplate capacity of 25 MWs or less.~~

10 ~~(b) Methane gas.].~~ Effective for electricity production commencing January 1, 2017, methane gas
11 shall not qualify for class III if the production is from a source or sources which began operation
12 prior to January 1, 2006 and which source exceeds, or sources exceed, a total gross nameplate
13 capacity of 10 MWs in the aggregate located at any single landfill site. All phases, stages, cells, lifts,
14 expansions, and other landfill areas shall be combined in determining the single landfill site gross
15 nameplate capacity. Only class III and potential class III eligible sources at any single landfill site
16 shall be included in determining whether the 10 MW aggregate limitation has been exceeded.

17 5 Repeals. The following are repealed:

18 I. RSA 362-F:4, I(l) relative to biomass technologies producing useful thermal energy.

19 II. RSA 362-F:2, XV-a, relative to the definition of useful thermal.

20 6 Effective Date. This act shall take effect 60 days after its passage.