



General Assembly

**Substitute Bill No. 5356**

February Session, 2024



**AN ACT CONCERNING MODIFICATIONS TO THE RENEWABLE PORTFOLIO STANDARD.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (20) of subsection (a) of section 16-1 of the 2024  
2 supplement to the general statutes is repealed and the following is  
3 substituted in lieu thereof (*Effective October 1, 2024*):

4 (20) "Class I renewable energy source" means (A) electricity derived  
5 from (i) solar power, (ii) wind power, (iii) a fuel cell, including a fuel cell  
6 power plant, as defined in 26 USC 48(c)(1)(C), (iv) geothermal, (v)  
7 landfill methane gas, anaerobic digestion or other biogas derived from  
8 biological sources, (vi) thermal electric direct energy conversion from a  
9 certified Class I renewable energy source, (vii) ocean thermal power,  
10 (viii) wave or tidal power, (ix) low emission advanced renewable energy  
11 conversion technologies, including, but not limited to, zero emission  
12 low grade heat power generation systems based on organic oil free  
13 rankine, kalina or other similar nonsteam cycles that use waste heat  
14 from an industrial or commercial process that does not generate  
15 electricity, (x) [(I) a run-of-the-river] hydropower, [facility that began  
16 operation after July 1, 2003, has a generating capacity of not more than  
17 sixty megawatts, is not based on a new dam or a dam identified by the  
18 Commissioner of Energy and Environmental Protection as a candidate  
19 for removal, and meets applicable state and federal requirements,

20 including state dam safety requirements and applicable site-specific  
21 standards for water quality and fish passage, or (II) a run-of-the-river  
22 hydropower facility that received a new license after January 1, 2018,  
23 under the Federal Energy Regulatory Commission rules pursuant to 18  
24 CFR 16, as amended from time to time, is not based on a new dam or a  
25 dam identified by the Commissioner of Energy and Environmental  
26 Protection as a candidate for removal, and meets applicable state and  
27 federal requirements, including state dam safety requirements and  
28 applicable site-specific standards for water quality and fish passage,]  
29 (xi) a biomass facility that uses sustainable biomass fuel and has an  
30 average emission rate of equal to or less than .075 pounds of nitrogen  
31 oxides per million BTU of heat input for the previous calendar quarter,  
32 except that energy derived from a biomass facility with a capacity of less  
33 than five hundred kilowatts that began construction before July 1, 2003,  
34 may be considered a Class I renewable energy source, or (xii) a nuclear  
35 power generating facility, [constructed on or after October 1, 2023,] or  
36 (B) any electrical generation, including distributed generation,  
37 generated from a Class I renewable energy source, provided, on and  
38 after January 1, 2014, any megawatt hours of electricity from a  
39 renewable energy source described under this subparagraph that are  
40 claimed or counted by a load-serving entity, province or state toward  
41 compliance with renewable portfolio standards or renewable energy  
42 policy goals in another province or state, other than the state of  
43 Connecticut, shall not be eligible for compliance with the renewable  
44 portfolio standards established pursuant to section 16-245a;

45 Sec. 2. Subsection (a) of section 16-243q of the general statutes is  
46 repealed and the following is substituted in lieu thereof (*Effective October*  
47 *1, 2024*):

48 (a) On and after January 1, 2007, each electric distribution company  
49 providing standard service pursuant to section 16-244c and each electric  
50 supplier, as defined in section 16-1, as amended by this act, shall  
51 demonstrate to the satisfaction of the Public Utilities Regulatory  
52 Authority that not less than one per cent of the total output of such  
53 supplier or such standard service of an electric distribution company

54 shall be obtained from Class III sources. On and after January 1, 2008,  
55 not less than two per cent of the total output of any such supplier or  
56 such standard service of an electric distribution company shall, on  
57 demonstration satisfactory to the Public Utilities Regulatory Authority,  
58 be obtained from Class III sources. On or after January 1, 2009, not less  
59 than three per cent of the total output of any such supplier or such  
60 standard service of an electric distribution company shall, on  
61 demonstration satisfactory to the Public Utilities Regulatory Authority,  
62 be obtained from Class III sources. On and after January 1, 2010, not less  
63 than four per cent of the total output of any such supplier or such  
64 standard service of an electric distribution company shall, on  
65 demonstration satisfactory to the Public Utilities Regulatory Authority,  
66 be obtained from Class III sources. On and after January 1, 2022, [until  
67 December 31, 2024,] not less than five per cent of the total output of any  
68 such supplier or such standard service of an electric distribution  
69 company shall, on demonstration satisfactory to the Public Utilities  
70 Regulatory Authority, be obtained from Class III sources. Electric power  
71 obtained from customer-side distributed resources that does not meet  
72 air and water quality standards of the Department of Energy and  
73 Environmental Protection is not eligible for purposes of meeting the  
74 percentage standards in this section.

75       Sec. 3. (*Effective from passage*) The Commissioner of Energy and  
76 Environmental Protection shall study natural gas capacity in the state.  
77 Such study shall include, but need not be limited to: (1) An evaluation  
78 of natural gas capacity in the state; and (2) an examination of ways to  
79 expand natural gas capacity, including any necessary regulatory or  
80 legislative changes. Not later than January 1, 2025, the commissioner  
81 shall report, in accordance with the provisions of section 11-4a of the  
82 general statutes, the results of the study, including any  
83 recommendations, to the joint standing committee of the General  
84 Assembly having cognizance of matters relating to energy and  
85 technology.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2024</i>	16-1(a)(20)
Sec. 2	<i>October 1, 2024</i>	16-243q(a)
Sec. 3	<i>from passage</i>	New section

**ET**      *Joint Favorable Subst.*