

HB 4037-2  
(LC 212)  
2/1/16 (MBM/ps)

Requested by HOUSE COMMITTEE ON ENERGY AND ENVIRONMENT (at the request of David Brown)

**PROPOSED AMENDMENTS TO  
HOUSE BILL 4037**

1 On page 1 of the printed bill, delete lines 7 through 9 and insert:

2 “(b) ‘Nameplate capacity’ means the maximum rated output of a genera-  
3 tor, inverter or other electric power production equipment measured in al-  
4 ternating current under specific conditions designated by the manufacturer  
5 of the equipment.”.

6 After line 17, insert:

7 “(b) Require an owner or operator of a solar photovoltaic energy system  
8 applying to participate in the program to submit a plan to complete con-  
9 struction of the solar photovoltaic energy system and begin to generate  
10 electricity within one year after being enrolled in the program;”.

11 In line 18, delete “(b)” and insert “(c)”.

12 In line 19, delete “and”.

13 After line 19, insert:

14 “(d) Limit the cumulative nameplate capacity of solar photovoltaic energy  
15 systems included in the program that are owned or operated by a single  
16 program enrollee, and any business affiliated with the program enrollee, to  
17 35 megawatts; and”.

18 In line 20, delete “(c)” and insert “(e)”.

19 On page 2, after line 3, insert:

20 “(D) Has a commercial operations date, as specified in a power purchase  
21 agreement, of January 1, 2016, or later;”.

1 In line 4, delete “(D)” and insert “(E)”.

2 In line 8, delete “(E)” and insert “(F)”.

3 In line 10, delete “(F)” and insert “(G)”.

4 Delete lines 14 through 18 and insert:

5 “(4)(a) Subject to paragraphs (b) and (c) of this subsection, for the purpose  
6 of incentivizing the generation of electricity derived from solar energy, the  
7 department shall make a monthly payment to a program enrollee for a solar  
8 photovoltaic energy system that generates electricity for an amount that  
9 equals one-half cent per kilowatt hour of electricity generated by the solar  
10 photovoltaic energy system during the preceding month. Payments shall  
11 continue for five years after the date on which the department makes the  
12 initial payment to the program enrollee for energy generated by the solar  
13 photovoltaic energy system.

14 “(b) Beginning one year after a program enrollee is enrolled in the pro-  
15 gram, for each month that the program enrollee’s solar photovoltaic energy  
16 system does not generate electricity, the department shall reduce by one  
17 month the number of monthly payments otherwise required to be paid to the  
18 program enrollee under paragraph (a) of this subsection for that solar  
19 photovoltaic energy system.

20 “(c) If by two years after a program enrollee is enrolled in the program  
21 the program enrollee’s solar photovoltaic energy system has not generated  
22 electricity, the department shall remove the solar photovoltaic energy system  
23 from the program established under this section and the program enrollee  
24 may not receive any payments otherwise required to be paid to the program  
25 enrollee under paragraph (a) of this subsection for that solar photovoltaic  
26 energy system.”

27 In line 19, delete “(2)(b)” and insert “(2)(c)”.

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