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DATE
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SENATE COMMITTEE ON ENERGY AND PUBLIC UTILITIES

SB 928 - ROGERS

Hearing date: 5-5-87

Public Resources Code

Appropriations: Yes

SB 928

SENATE BILL 928:

would modify the definition of "thermal powerplant" to clarify that wind, hydroelectric and solar photovoltaic electrical generating facilities are not thermal powerplants.

BACKGROUND

Under the Warren-Alquist Act, the California Energy Commission (CEC) is responsible for siting thermal powerplants of a size equal to or greater than 50 megawatts (MW). Electrical generating facilities which are not thermally powered are exempt from the CEC's siting authority.

Thermal electric power generally refers to electric energy produced by a turbine and generator using thermal fuel. Thermal generation fuels include gas, oil, nuclear, coal, geothermal steam, and industrial or residential waste products.

Currently, the CEC does not consider wind, hydroelectric or solar photovoltaic electric generating facilities to fall within the definition of "thermal powerplant."

Last year during interim, the Committee considered SB 2290 (Alquist) which would have expanded CEC jurisdiction to include the siting of thermal powerplants of a size equal to or greater than 20 MW.

SB 494 (Rosenthal), introduced this year, would modify the definition of thermal powerplant to include "mobile" generating facilities.

DESCRIPTION

SB 928 would add the following provision to the definition of "thermal powerplant":

> "Thermal powerplant" does not include any wind, hydroelectric, or solar photovoltaire (sic) electrical generating facility."

COMMENTS

1. SB 928 was introduced by the author to clarify existing law and to give assurances to businesses engaged in renewable energy development, such as wind, hydro and solar energy developers, that they will not be subject to regulatory burdens associated with CEC siting jurisidiction.

KF

Honorable Don Rogers Member of the Senate State Capitol, Room 2068 Sacramento, CA 95814	DEPARTMENT Finance	AUTHOR Rogers	BILL NUMBER SB 928
	SPONSORED BY	RELATED BILLS	AMENDMENT DATE Original

BILL SUMMARY

This bill would revise the definition of thermal power plant in existing law to clarify that wind, hydroelectric, and solar photovoltaic electrical generating facilities are not thermal power plants.

SUMMARY OF COMMENTS

This bill would clarify existing law by exempting electrical generating facilities which are not thermally powered from the CEC's siting authority. CEC staff indicate that this bill would have no fiscal or programmatic impact on the Commission's existing programs.

FISCAL SUMMARY--STATE LEVEL

Code/Department Agency or Revenue Type	SO LA CO RV	(Fiscal Impact by Fiscal Year) (Dollars in Thousands) FC 1986-87	FC 1987-88	FC 1988-89	Code Fund
3360/CEC	SO	NO FISCAL IMPACT			

Impact on State Appropriations Limit--No.

ANALYSIS

A. Specific Findings

Under existing law, the CEC is responsible for siting thermal power plants that are 50 megawatts or greater. Thermal generation fuels include gas, oil, nuclear, coal, geothermal steam, and industrial or residential waste products. Currently, electrical generating facilities which are not thermally powered are exempt from the CEC's siting authority.

This bill would revise the definition of thermal power plant to specifically exclude any wind, hydroelectric, or solar photovoltaic electrical generating facility. Since the CEC does not include these types of facilities within the definition of thermal power plant for siting purposes, the author's intent is to clarify existing law and assure renewable energy developers (wind, hydro, and solar) that they will not be subject to the CEC siting jurisdiction.

B. Fiscal Analysis

CEC staff indicate that this bill would have no fiscal or programmatic impact on the Commission's existing programs.

POSITION:	Department Director	Date
Neutral		

Principal Analyst	Date	Program Budget Manager	Date	Governor's Office
(552)	5/8		5/8	Position noted Position approved Position disapproved by: date:

HW:0075g/2

BILL ANALYSIS/ENROLLED BILL REPORT Form DF-43 (Rev 03/86 500 Bu)