

AMENDMENT NO. _____ Calendar No. _____

Purpose: To require electric utilities to make interconnection service available.

IN THE SENATE OF THE UNITED STATES—109th Cong., 1st Sess.

S. _____

To enhance the energy security of the United States, and
for other purposes.

Referred to the Committee on _____
and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by
_____ to Title XII—Electricity
(END05371.LC)

Viz:

1 On page 76, between lines 4 and 5, insert the fol-
2 lowing:

3 **SEC. 1254. INTERCONNECTION.**

4 (a) ADOPTION OF STANDARDS.—Section 111(d) of
5 the Public Utility Regulatory Policies Act of 1978 (16
6 U.S.C. 2621(d)) (as amended by section 1252(a)) is
7 amended by adding at the end the following:

8 “(15) INTERCONNECTION.—(A) In this para-
9 graph, the term ‘interconnection service’ means serv-

1 ice to an electric consumer by which an on-site gen-
2 erating facility on the premises of the electric con-
3 sumer is connected to the local distribution facilities.

4 “(B)(i) Each electric utility shall make avail-
5 able, on request, interconnection service to any elec-
6 tric consumer that the electric utility serves.

7 “(ii) Interconnection services shall be made
8 available under clause (i) based on the standards de-
9 veloped by the Institute of Electrical and Electronics
10 Engineers, entitled “IEEE Standard 1547 for Inter-
11 connecting Distributed Resources with Electric
12 Power Systems” (or successor standards).

13 “(C)(i) Electric utilities shall establish agree-
14 ments and procedures providing that the inter-
15 connection services made available under subpara-
16 graph (B) promote current best practices of inter-
17 connection for distributed generation, including
18 practices stipulated in model codes adopted by asso-
19 ciations of State regulatory agencies.

20 “(ii) Any agreements and procedures estab-
21 lished under clause (i) shall be just and reasonable
22 and not unduly discriminatory or preferential.”.

23 (b) COMPLIANCE.—

24 (1) TIME LIMITATIONS.—Section 112(b) of the
25 Public Utility Regulatory Policies Act of 1978 (16

1 U.S.C. 2622(b)) (as amended by section 1252(g)) is
2 amended by adding at the end the following:

3 “(5)(A) Not later than 1 year after the date of
4 enactment of this paragraph, each State regulatory
5 authority (with respect to each electric utility for
6 which the State regulatory authority has ratemaking
7 authority) and each nonregulated utility shall, with
8 respect to the standard established by section
9 111(d)(15)—

10 “(i) commence the consideration under sec-
11 tion 111(a); or

12 “(ii) set a hearing date for the consider-
13 ation.

14 “(B) Not later than 2 years after the date of
15 enactment of this paragraph, each State regulatory
16 authority (with respect to each electric utility for
17 which the State regulatory authority has ratemaking
18 authority) and each nonregulated electric utility
19 shall, with respect to the standard established by
20 section 111(d)(15), complete the consideration and
21 make the determination under section 111(a).”.

22 (2) FAILURE TO COMPLY.—Section 112(c) of
23 the Public Utility Regulatory Policies Act of 1978
24 (16 U.S.C. 2622(c)) (as amended by section
25 1252(h)) is amended by adding at the end the fol-

1 lowing: “In the case of the standard established by
2 paragraph (15), the reference contained in this sub-
3 section to the date of enactment of this Act shall be
4 considered to be a reference to the date of enact-
5 ment of paragraph (15).”.

6 (3) PRIOR STATE ACTIONS.—

7 (A) IN GENERAL.—Section 112(e) of the
8 Public Utility Regulatory Policies Act of 1978
9 (as added by section 1252(i)(1)) is amended by
10 striking “paragraph 14” and inserting “para-
11 graph (14) or (15)”.

12 (B) CONFORMING AMENDMENT.—Section
13 124 of the Public Utility Regulatory Policies
14 Act of 1978 (16 U.S.C. 2634) (as amended by
15 section 1252(i)(2)) is amended by adding at the
16 end the following: “In the case of each standard
17 established by section 111(d)(15), the reference
18 contained in this section to the date of enact-
19 ment of the Act shall be considered to be a ref-
20 erence to the date of enactment of paragraph
21 (15).”.