

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

FILED SENATE
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SENATE BILL DRS45355-RI-21

Short Title: Public Schools PPA Eligibility. (Public)

Sponsors: Senator Lazzara (Primary Sponsor).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE CERTAIN PURCHASED POWER RATES AND TERMS FOR LOCAL BOARDS OF EDUCATION THAT INSTALL SOLAR ENERGY SYSTEMS AT SCHOOL FACILITIES IN ORDER TO ENHANCE THE ECONOMIC FEASIBILITY OF SUCH PROJECTS AND TO FACILITATE COMPLIANCE WITH G.S. 15C-521(C), WHICH REQUIRES THAT A LOCAL BOARD OF EDUCATION ADOPT LOCAL ENERGY-USE GOALS FOR BUILDING DESIGN AND OPERATION TO REDUCE THE IMPACT OF OPERATION COSTS ON LOCAL AND STATE BUDGETS.

The General Assembly of North Carolina enacts:

SECTION 1. Any local board of education that installs a solar energy system in a school facility that qualifies as a small power producer, as that term is defined under G.S. 62-3, shall be eligible for purchased power rates and terms, including a contract duration of 10 years, under Purchased Power Schedule PP-1 from an electric public utility, notwithstanding any order of the North Carolina Utilities Commission, including any provision of the Order Establishing Standard Rates and Contract Terms for Qualifying Facilities issued by the North Carolina Utilities Commission on October 11, 2017, in the matter of Biennial Determination of Avoided Cost Rates for Electric Utility Purchases from Qualifying Facilities – 2016, Docket No. E-100, SUB 148.

SECTION 2. This act is effective when it becomes law and applies to any local board of education that installs a solar energy system on a school facility on or before that date, and has, on or before that date, done all of the following:

- (1) Filed a report of proposed construction (ROPC) or Certificate of Public Convenience and Necessity (CPCN) application for construction of the facility, as applicable.
- (2) Submitted a completed interconnection request pursuant to the North Carolina Interconnection Procedures (NCIP).
- (3) Certified as a Qualifying Facility with the Federal Energy Regulatory Commission (FERC), if greater than 1 MW.
- (4) Made a commitment to sell its output to an electric public utility in the State under the Public Utility Regulatory Policies Act (PURPA), Pub. L. 95-617, 92 Stat. 3117, using the approved Notice of Commitment Form.

