



Councilmember Mary M. Cheh

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Renewable Energy Portfolio Standard Act of 2004 to allow waste heat from the sewage system to qualify as a Tier 1 renewable source, raise the renewable portfolio standard to 50% by 2032 and the solar requirement to 5% by 2032, and to amend the Clean and Affordable Energy Act of 2008 to increase the Sustainable Energy Trust Fund fee, and to establish a program within the Department of Energy and the Environment for the purpose of installing solar systems on houses owned by low-income homeowners.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Renewable Portfolio Standard Expansion Amendment Act of 2016”.

Sec. 2. The Renewable Energy Portfolio Standard Act of 2004, effective April 12, 2005 (D.C. Law 15-340; D.C. Official Code § 34-1431 *et seq.*), is amended as follows:

(a) Section 3(15) (D.C. Official Code § 34-1431(15)) is amended as follows:

(1) Subparagraph (F) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(2) Subparagraph (G) is amended by striking the period and inserting the phrase “; and” in its place.

(3) A new subparagraph (H) is added to read as follows:

35 “(H) Waste heat recovered from the combined and sanitary sewage system
36 or wastewater treatment plant effluent.”.

37 (b) Section 4(c) (D.C. Official Code § 34-1432(c)) is amended as follows:

38 (1) Paragraph (12) is amended by striking the phrase “; and” and inserting a
39 semicolon in its place.

40 (2) Paragraph (13) is amended as follows:

41 (A) Strike the phrase “In 2023 and thereafter” and insert the phrase “In
42 2023” in its place.

43 (B) Strike the period and insert a semicolon in its place.

44 (3) New paragraphs (14), (15), (16), (17), (18), (19), (20), (21), and (22) are added
45 to read as follows:

46 “(14) In 2024, not less than 23% from tier one renewable sources, 0% from tier
47 two renewable sources, and not less than 2.6% from solar energy;

48 “(15) In 2025, not less than 26% from tier one renewable sources, 0% from tier
49 two renewable sources, and not less than 2.85% from solar energy;

50 “(16) In 2026, not less than 29% from tier one renewable sources, 0% from tier
51 two renewable sources, and not less than 3.15% from solar energy;

52 “(17) In 2027, not less than 32% from tier one renewable sources, 0% from tier
53 two renewable sources, and not less than 3.45% from solar energy;

54 “(18) In 2028, not less than 35% from tier one renewable sources, 0% from tier
55 two renewable sources, and not less than 3.75% from solar energy;

56 “(19) In 2029, not less than 38% from tier one renewable sources, 0% from tier
57 two renewable sources, and not less than 4.1% from solar energy;

58 “(20) In 2030, not less than 42% from tier one renewable sources, 0% from tier
59 two renewable sources, and not less than 4.5% from solar energy;

60 “(21) In 2031, not less than 46% from tier one renewable sources, 0% from tier
61 two renewable sources, and not less than 4.75% from solar energy; and

62 “(22) In 2032 and thereafter, not less than 50% from tier one renewable sources,
63 0% from tier two renewable sources, and not less than 5.0% from solar energy.”.

64 (c) Section 6(c)(3) (D.C. Official Code § 34-1434(c)(3)) is amended to read as follows:

65 “(3) Fifty cents in 2016 through 2023, 40 cents in 2025, 30 cents in 2027, 20 cents
66 in 2029, 10 cents in 2031, and 5 cents in 2033 and thereafter for each kilowatt-hour of shortfall
67 from required solar energy sources.”.

68 (d) Section 8(c) (D.C. Official Code 34-1436(b)) is amended by striking the phrase “and
69 for otherwise administering the Fund” and inserting the phrase “and to fund the Solar for All
70 program established under section 216 of the Clean and Affordable Energy Act of 2008, as
71 introduced on March 1, 2016 (Bill 21-XXX), and for otherwise administering the Fund” in its
72 place.

73 Sec. 3. The Clean and Affordable Energy Act of 2008, effective October 22 2008 (D.C.
74 Law 17-250; D.C. Official Code § 8-1774.01 *et seq.*), is amended as follows:

75 (a) Section 210 (D.C. Official Code § 8-1774.10) is amended as follows:

76 (1) Subsection (b)(2) is amended as follows:

77 (A) Subparagraph (C) is amended by striking the phrase “in fiscal year
78 2011 and each year thereafter.” and inserting the phrase “in fiscal year 2011 through fiscal year
79 2016;” in its place.

80 (B) A new subparagraph (D) is added to read as follows:

81 “(D) The amount of \$.001875 from fiscal year 2017 and each year
82 thereafter.”.

83 (2) Subsection (c) is amended as follows:

84 (A) Paragraph (9) is amended by striking the phrase “; and” and inserting
85 a semicolon in its place.

86 (B) Paragraph (10) is amended by striking the period and adding the
87 phrase “; and” in its place.

88 (C) A new paragraph (11) is added to read as follows:

89 “(11) The Solar for All program established under section 216 in the amount of \$5
90 million annually.”.

91 (b) A new section 216 is added to read as follows:

92 “Sec. 216. Solar for All program.

93 “(a) There is established the Solar for All program (“program”) to install solar systems on
94 the homes of low-income homeowners in the District.

95 “(b) The program shall be administered by DDOE and shall operate until the end of fiscal
96 year 2032. In administering the program, DDOE shall coordinate with SEU low-income solar
97 installation programs.

98 “(c) To be eligible for the program, the low-income homeowner must live in the home on
99 which the solar system is to be installed.

100 “(d) By January 1, 2017, DDOE shall assess the number and distribution of low-income
101 homeowners in the District and develop an outreach plan for the program.

102 “(e) From fiscal year 2017 through fiscal year 2032, the program shall be funded from the
103 following sources:

104 “(1) \$5 million from the Sustainable Energy Trust Fund annually; and
105 “(2) \$5 million or 50% of the Renewable Energy Development Fund annually,
106 whichever is less.

107 “(f) The funding allocated in subsection (e) may be used to supplement programs
108 supporting solar installations for low-income homeowners through the Sustainable Energy
109 Utility contract established by section 201.

110 “(g) Beginning November 1, 2017, DDOE shall submit an annual report to the Council
111 on the expenditure of the funds allocated to the program, pursuant to subsection (e) of this
112 section, and the number of solar systems installed pursuant to this section in the previous fiscal
113 year.

114 “(h) For purposes of this section, the term:

115 “(1) “Area median income” means:

116 “(A) For a household of 4 persons, the area median income for a
117 household of 4 persons in the Washington Metropolitan Statistical Area as set forth in the
118 periodic calculation provided by the United States Department of Housing and Urban
119 Development;

120 “(B) For a household of 3 persons, 90% of the area median income for a
121 household of 4 persons;

122 “(C) For a household of 2 persons, 80% of the area median income for a
123 household of 4 persons;

124 “(D) For a household of one person, 70% of the area median income for a
125 household of 4 persons; and

126 “(E) For a household of more than 4 persons, the area median income for a
127 household of 4 persons, increased by 10% for each household member exceeding 4 persons (for
128 example, the area median income for a family of 5 shall be 110% of the area median income for
129 a family of 4; the area median income for a household of 6 shall be 120% of the area median
130 income for a family of 4).

131 “(2) “Low-income” means a household income equal to, or less than, 50% of the
132 area median income.

133 “(3) “Renewable Energy Development Fund” means the Renewable Energy
134 Development Fund established under section 8 of the Renewable Energy Portfolio Standard Act
135 of 2004, effective April 12, 2005 (D.C. Law 15-340; D.C. Official Code § 34-1436).

136 “(4) “Solar system” means a solar photovoltaic or solar thermal system.

137 Sec. 4. Fiscal impact statement.

138 The Council adopts the fiscal impact statement in the committee report as the fiscal
139 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
140 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

141 Sec. 5. Effective date.

142 This act shall take effect following approval by the Mayor (or in the event of veto by the
143 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
144 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
145 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
146 Columbia Register.