

Clean Energy Initiatives in the 2010 Legislative Session
by Sarah Wright, Executive Director - Utah Clean Energy

This week, Utah Governor Gary Herbert signed (and vetoed) some important pieces of clean energy-related legislation that represent extraordinary benefits for Utah families and businesses. While some of the clean energy bills and resolutions introduced during the 2010 Legislative Session help Utah reap the benefits of clean energy, some landmark bills failed to reach their full potential and came under fire despite providing significant benefits for Utahans.

Clean Energy Legislation to Benefit Utah Citizens, Businesses & Schools

Good news for Utah schools, churches, local governments, and other non-profit entities interested in installing solar power: with the passage of House Bill 145 S02 - Renewable Energy Financing Provisions, interested parties can install lower-cost renewable energy systems by contracting with third party financiers who offer innovative financing and are able to take advantage of available tax incentives. And for those who prefer the low hanging financial fruit that is energy efficiency, House Bill 318 - Revolving Loan Fund for Certain Energy Efficient Projects also successfully passed. This enabling legislation allows Utah's Energy Efficiency Fund, a zero interest revolving loan fund, to be used for energy efficiency projects in buildings owned by political subdivisions (i.e. cities, counties, and towns) in addition to school districts. These are two big wins for Utah's government and non-profit sectors.

Disappointing Results

Unfortunately, not all efforts to advance clean energy were met with success, especially those that would have benefitted Utah's citizens and businesses. Despite broad support from over 25 businesses, organizations, and municipalities, Senate Bill 194 - Assessment Area Act Amendments failed to get a hearing on the Senate floor. The failure of this bill means that, unless you are a private investor, everyday Utahans cannot yet access a single penny of the \$28 million in federal ARRA bond funds to fund energy improvement loan programs for residents and businesses. Speaking of everyday Utahans, due to lobbying

efforts of the Utah Home Builders Association, HB 45 - State Construction Code Adoption explicitly excluded the adoption of the energy conservation code (2009 IECC) for new homes. Failure to include the new energy code for homes means that Utah families buying new homes will be paying about 15% more on their utility bills. Fortunately, HB 45 *does* adopt the 2009 code for commercial buildings, so at least our commercial sector can enjoy energy savings for decades to come.

And, perhaps most unfortunate is Governor Herbert's decision to veto Senate Bill 47 S01 - Electrical Utility Amendments - Efficiency and Conservation Tariff, which would have enabled Utah to save tremendous amounts of energy and money. This bill would have allowed RMP to change its current A/C load control program, "Cool- Keeper", to an "opt-out" program (rather than the current "opt-in" program). Current program participants express a 98% satisfaction rate. The Cool Keeper program allows RMP to cycle air conditioning units off for up to 15 minutes when Utah's summer peak demand is at its highest. This bill would have improved utility system operations, reduced the risk of outages, and saved consumers money. However, the Governor vetoed this important bill, sending the message that Utah is not interested in saving energy or money, and we are willing to accept the rising risks of our ever-expanding energy demand.

The impact of the policy decisions made in the 2010 legislative session will be felt for decades to come, and will continue to shape Utah's energy future; hopefully next year we can hope for more successes on the clean energy front. For a complete list of clean energy legislation tracked by Utah Clean Energy go to www.utahcleanenergy.org.