

SECOND REGULAR SESSION

HOUSE BILL NO. 2448

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES STILL (Sponsor),
KELLY, HOLSMAN AND McNEIL (Co-sponsors).

5431L.02I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 393, RSMo, by adding thereto one new section relating to renewable energy.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 393, RSMo, is amended by adding thereto one new section, to be
2 known as section 393.1053, to read as follows:

**393.1053. 1. Before approving an investor-owned utility request for sourcing new
2 or expandable renewable energy in accordance with sections 393.1025 to 393.1030, the
3 public service commission shall have a cost-benefit analysis performed considering all
4 economic development aspects of the utility proposed renewable energy sources.**

**5 2. An investor-owned utility or other entity requesting approval for sourcing new
6 or expandable renewable energy in accordance with sections 393.1025 to 393.1030 shall
7 provide all possible locations within and outside Missouri that will be considered for the
8 building of the facility in question. For comparison purposes, the cost-benefit analyses
9 shall only be performed relative to these sites. This cost-benefit analysis shall take into
10 account all economic benefits and costs of building, operating, and maintaining new or
11 expanded renewable energy sources in Missouri versus outside Missouri's boundaries.
12 Economic benefits shall include:**

- 13 (1) Construction, operation, and maintenance jobs;**
- 14 (2) Payments to landowners;**
- 15 (3) State income taxes collected;**
- 16 (4) State and local sales taxes collected;**
- 17 (5) Local property taxes;**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 (6) Local economic development multiplying factors due to the location of the
19 facility; and

20 (7) Any other benefits the citizens of Missouri may obtain from renewable energy
21 facilities located in Missouri.

22 3. All costs associated with sourcing renewable energy from inside or outside the
23 state of Missouri shall be evaluated, including the cost of electricity to investor-owned
24 utility ratepayers, increases in Missouri unemployment payments, and any other costs.
25 Renewable energy costs shall be capped as provided in section 393.1030. If the benefits of
26 building in Missouri exceed the costs, the public service commission shall require the
27 renewable energy facility to be built in Missouri. Facilities built within Missouri shall only
28 be built at locations considered in the cost-benefit analysis. However, if the costs exceed
29 the benefits, the public service commission shall not oppose such facility being built outside
30 the state of Missouri. Facilities outside Missouri shall only be built at locations included
31 in the cost-benefit analysis.

32 4. The public service commission shall require an electrical corporation defined in
33 386.020 or other entities that may construct renewable generation facility to provide the
34 information for analysis and means to verify its accuracy.

35 5. Renewable energy credits shall not be used to satisfy portfolio requirements
36 provided in sections 393.1020 to 393.1030.

37 6. Purchased power agreements shall be examined in the cost-benefit analysis based
38 on the location of the actual source of the power.

39 7. The public service commission shall have rulemaking authority to develop the
40 process and time lines for completing the cost-benefit analysis.

41 8. The public service commission has the authority to hire outside consultants to
42 conduct the cost-benefit analysis.

43 9. Any rule or portion of a rule, as that term is defined in section 536.010, that is
44 created under the authority delegated in this section shall become effective only if it
45 complies with and is subject to all of the provisions of chapter 536 and, if applicable,
46 section 536.028. This section and chapter 536 are nonseverable and if any of the powers
47 vested with the general assembly under chapter 536 to review, to delay the effective date,
48 or to disapprove and annul a rule are subsequently held unconstitutional, then the grant
49 of rulemaking authority and any rule proposed or adopted after August 28, 2010, shall be
50 invalid and void.

✓