

MAR 13 2003

COMMERCE, REGULATION & LABOR

HOUSE FILE 535
BY DANDEKAR

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the definition of small hydro facilities for
2 purposes of public utility regulation.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 535

1 Section 1. Section 476.42, subsection 4, paragraph c,
2 unnumbered paragraph 2, Code 2003, is amended to read as
3 follows:

4 A facility which with a capacity of eighty megawatts or
5 less or that is a qualifying facility under 18 C.F.R. part
6 292, subpart B, is not precluded from being a small hydro
7 facility under this division.

8 EXPLANATION

9 This bill modifies the definition of "small hydro facility"
10 in Code chapter 476, pertaining to utilities, and specifically
11 in the portion of the chapter pertaining to alternate energy
12 production facilities.

13 Under Code section 476.42, a small hydro facility means a
14 hydroelectric facility at a dam; the land, systems, or
15 buildings necessary to the operation of the facility; or the
16 related transmission or distribution facilities.

17 Code section 476.42 contains an additional provision that
18 federal qualifying facilities are not excluded from the small
19 hydro facility definition. To be considered a "qualifying
20 facility" under federal law requires not only meeting certain
21 definitional terms, but also the granting of a license, along
22 with a number of specific findings regarding the facility.
23 The bill adds an additional hydropower source that is not
24 precluded from consideration as a small hydro facility under
25 Code section 476.42.

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