

Bill no.:	<u>Committee Print</u>
H.L.C.:	<u>54</u>
Amendment no.:	<u>54</u>
Date offered:	<u>4/13/05</u>
Disposition:	<u>Agreed to by VV</u>

**[Buyer/Boucher Amendment]**  
**AMENDMENT TO COMMITTEE PRINT**  
**OFFERED BY MR. BUYER OF INDIANA**

At the end of subtitle E of title XII, add the following:

**1 SEC. 1254. INTERCONNECTION.**

2 (a) ADOPTION OF STANDARDS.—Section 111(d) of  
3 the Public Utility Regulatory Policies Act of 1978 (16  
4 U.S.C. 2621 (d) ) is amended by adding at the end the  
5 following:

6 “(16) INTERCONNECTION.—Each electric utility  
7 shall make available, upon request, interconnection  
8 service to any electric consumer that the electric  
9 utility serves. For purposes of this paragraph, the  
10 term ‘interconnection service’ means service to an  
11 electric consumer under which an on-site generating  
12 facility on the consumer’s premises shall be con-  
13 nected to the local distribution facilities. Inter-  
14 connection services shall be offered based upon the  
15 standards developed by the Institute of Electrical  
16 and Electronics Engineers: IEEE Standard 1547 for  
17 Interconnecting Distributed Resources with Electric  
18 Power Systems, as they may be amended from time



1 to time. In addition, agreements and procedures  
2 shall be established whereby the services are offered  
3 shall promote current best practices of interconnec-  
4 tion for distributed generation, including but not  
5 limited to practices stipulated in model codes adopt-  
6 ed by associations of state regulatory agencies. All  
7 such agreements and procedures shall be just and  
8 reasonable, and not unduly discriminatory or pref-  
9 erential.”.

10 (b) COMPLIANCE.—

11 (1) TIME LIMITATIONS.—Section 112 (b) of the  
12 Public Utility Regulatory Policies Act of 1978 (16  
13 U.S.C. 2622(b)) is amended by adding at the end  
14 the following:

15 “(3)(A) Not later than one year after the enact-  
16 ment of this paragraph, each State regulatory au-  
17 thority (with respect to each electric utility for which  
18 it has ratemaking authority) and each nonregulated  
19 utility shall commence the consideration referred to  
20 in section 111, or set a hearing date for consider-  
21 ation, with respect to the standard established by  
22 paragraph (16) of section 111(d).

23 “(B) Not later than two years after the date of  
24 the enactment of the this paragraph, each State reg-  
25 ulatory authority (with respect to each electric utility



1 for which it has ratemaking authority), and each  
2 nonregulated electric utility, shall complete the con-  
3 sideration, and shall make the determination, re-  
4 ferred to in section 111 with respect to each stand-  
5 ard established by paragraph (16) of section  
6 111(d).”.

7 (2) FAILURE TO COMPLY.—Section 112 (d) f  
8 the Public Utility Regulatory Policies Act of 1978  
9 (16 U.S.C. 2622 (c)) is amended by adding at the  
10 end the following: “In the case of the standard es-  
11 tablished by paragraph (16), the reference contained  
12 in this subsection to the date of enactment of this  
13 Act shall be deemed to be a reference to the date of  
14 enactment of paragraph (16).”.

15 (3) PRIOR STATE ACTIONS.—

16 (A) IN GENERAL.—Section 112 of the  
17 Public Utility Regulatory Policies Act of 1978  
18 (16 U.S.C. 2622) is amended by adding at the  
19 end the following:

20 “(d) PRIOR STATE ACTIONS.—Subsections (b) and  
21 (c) of this section shall not apply to the standards estab-  
22 lished by paragraphs (16) of section 111(d) in the case  
23 of any electric utility in a State if, before the enactment  
24 of this subsection—



1           “(1) the State has implemented for such utility  
2 the standard concerned (or a comparable standard);

3           “(2) the State regulatory authority for such  
4 State or relevant nonregulated electric utility has  
5 conducted a proceeding to consider implementation  
6 of the standard concerned (or a comparable stand-  
7 ard) for such utility; or

8           “(3) the State legislature has voted on the im-  
9 plementation of such standard (or a comparable  
10 standard) for such utility.”.

11           (B) CROSS REFERENCE.—Section 124 of  
12 such Act (16 U.S.C. 2634) is amended by add-  
13 ing the following at the end thereof: “In the  
14 case of each standard established by paragraph  
15 (16) of section 111(d), the reference contained  
16 in this subsection to the date of enactment of  
17 the Act shall be deemed to be a reference to the  
18 date of enactment of paragraph (16).”.

