

HOUSE BILL NO. 5119

October 10, 2023, Introduced by Reps. Hood, Rheingans, Morgan, Byrnes and Brixie and referred to the Committee on Energy, Communications, and Technology.

A bill to amend 2008 PA 295, entitled
"Clean and renewable energy and energy waste reduction act,"
by amending section 83 (MCL 460.1083), as amended by 2016 PA 342.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 83. (1) One energy waste reduction credit shall be
2 granted ~~to a provider~~ for each megawatt hour of annual incremental
3 energy savings achieved through energy waste reduction. **Except as**
4 **provided in section 27 of the property assessed clean energy act,**
5 **2010 PA 270, MCL 460.957, the energy waste reduction credit shall**

1 **be granted to the provider.**

2 (2) An energy waste reduction credit expires as follows:

3 (a) When used by a provider to comply with its energy waste
4 reduction standard.

5 (b) When substituted for a renewable energy credit under
6 section 28.

7 (c) As provided in subsection (3).

8 (3) If a provider's incremental energy savings in any year
9 exceed the applicable energy waste reduction standard, the
10 associated energy waste reduction credits may be carried forward
11 and applied to the next year's energy waste reduction standard.
12 However, all of the following apply:

13 (a) The number of energy waste reduction credits carried
14 forward shall not exceed 1/3 of the next year's standard. Any
15 energy waste reduction credits carried forward to the next year
16 ~~shall expire~~ **at the end of** that year. Any remaining energy waste
17 reduction credits ~~shall expire~~ at the end of the year in which the
18 incremental energy savings were achieved, unless substituted, by an
19 electric provider, for renewable energy credits under section 28.

20 (b) Energy waste reduction credits shall not be carried
21 forward **by a provider** if, for its performance during the same year,
22 the provider accepts a financial incentive under section 75. The
23 excess energy waste reduction credits ~~shall expire~~ at the end of
24 the year in which the incremental energy savings were achieved,
25 unless substituted, by an electric provider, for renewable energy
26 credits under section 28.

27 Enacting section 1. This amendatory act does not take effect
28 unless Senate Bill No. ____ or House Bill No. 5118 (request no.
29 02420'23) of the 102nd Legislature is enacted into law.