

Article - Public Utility Companies

1-101.

(r) "On-site generated electricity" means electricity that:

(1) is not transmitted or distributed over an electric company's transmission or distribution system; or

(2) is generated at a facility owned or operated by an electric customer or operated by a designee of the owner who, with the other tenants of the facility, consumes at least 80% of the power generated by the facility each year.

7-207.1.

(a) This section applies to a person who [constructs]:

(1) CONSTRUCTS a generating station designed to provide on-site generated electricity if:

[(1)](I) the capacity of the generating station does not exceed 70 megawatts; and

[(2)](II) the electricity that may be exported for sale from the generating station to the electric system is sold only on the wholesale market pursuant to an interconnection, operation, and maintenance agreement with the local electric company; OR

(2) CONSTRUCTS A GENERATING STATION IF:(I) THE CAPACITY OF WHICH THE GENERATING STATION DOES NOT EXCEED 25 MEGAWATTS; AND~~(II) BY WHICH AT LEAST 10% OF THE ELECTRICITY GENERATED EACH YEAR IS CONSUMED ON-SITE.~~(II) THE ELECTRICITY THAT MAY BE EXPORTED FOR SALE FROM THE GENERATING STATION TO THE ELECTRIC SYSTEM IS SOLD ONLY ON THE WHOLESALE MARKET PURSUANT TO AN INTERCONNECTION, OPERATION, AND MAINTENANCE AGREEMENT WITH THE LOCAL ELECTRIC COMPANY; AND(III) AT LEAST 10% OF THE ELECTRICITY GENERATED AT THE GENERATING STATION EACH YEAR IS CONSUMED ON-SITE.

(b) (1) The Commission shall require a person that is exempted from the requirement to obtain a certificate of public convenience and necessity to obtain approval from the Commission under this section before the person may construct a generating station described in subsection (a) of this section.

(2) An application for approval under this section shall:

(i) be made to the Commission in writing on a form adopted by the Commission;

(ii) be verified by oath or affirmation; and