

(b) If an electricity supplier fails to comply with the renewable energy portfolio standard ~~FOR TIER 1 RENEWABLE SOURCES OR TIER 2 RENEWABLE SOURCES~~ for the applicable year, the electricity supplier shall pay into the Maryland Renewable Energy Fund established under § 7-707 of this subtitle:

(1) except as provided in ~~paragraph~~ ITEM (2) of this subsection, a compliance fee of:

(i) 2 cents for each kilowatt-hour of shortfall from required Tier 1 renewable sources OTHER THAN THE SHORTFALL FROM THE REQUIRED TIER 1 RENEWABLE SOURCES THAT IS TO BE DERIVED FROM SOLAR ENERGY; ~~and~~

(II) THE FOLLOWING AMOUNTS FOR EACH KILOWATT-HOUR OF SHORTFALL FROM REQUIRED TIER 1 RENEWABLE SOURCES THAT IS TO BE DERIVED FROM SOLAR ENERGY:

1. 45 CENTS IN 2008;
2. 40 CENTS IN 2009 AND 2010;
3. 35 CENTS IN 2011 AND 2012;
4. 30 CENTS IN 2013 AND 2014;
5. 25 CENTS IN 2015 AND 2016;
6. 20 CENTS IN 2017 AND 2018;
7. 15 CENTS IN 2019 AND 2020;
8. 10 CENTS IN 2021 AND 2022; AND
9. 5 CENTS IN 2023 AND LATER; AND

~~(ii)~~ (III) 1.5 cents for each kilowatt-hour of shortfall from required Tier 2 renewable sources; or

(2) for industrial process load:

(i) for each kilowatt-hour of shortfall from required Tier 1 ~~AND TIER 2~~ renewable sources, a compliance fee of:

1. 0.8 cents in 2006, 2007, and 2008;