

CERTIFICATION OF ENROLLMENT

**HOUSE BILL 2669**

57th Legislature  
2002 Regular Session

Passed by the House February 14, 2002  
Yeas 98 Nays 0

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**Speaker of the House of Representatives**

Passed by the Senate March 8, 2002  
Yeas 49 Nays 0

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**President of the Senate**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Cynthia Zehnder, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 2669** as passed by the House of Representatives and the Senate on the dates hereon set forth.

\_\_\_\_\_  
**Chief Clerk**

FILED

**Secretary of State  
State of Washington**

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HOUSE BILL 2669

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Passed Legislature - 2002 Regular Session

State of Washington

57th Legislature

2002 Regular Session

By Representatives Linville, Schoesler, Hunt, Chase and Wood

Read first time 01/23/2002. Referred to Committee on Technology,  
Telecommunications & Energy.

1 AN ACT Relating to use of animal waste as a qualified alternative  
2 energy resource; and amending RCW 19.29A.090.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 19.29A.090 and 2001 c 214 s 28 are each amended to  
5 read as follows:

6 (1) Beginning January 1, 2002, each electric utility must provide  
7 to its retail electricity customers a voluntary option to purchase  
8 qualified alternative energy resources in accordance with this section.

9 (2) Each electric utility must include with its retail electric  
10 customer's regular billing statements, at least quarterly, a voluntary  
11 option to purchase qualified alternative energy resources. The option  
12 may allow customers to purchase qualified alternative energy resources  
13 at fixed or variable rates and for fixed or variable periods of time,  
14 including but not limited to monthly, quarterly, or annual purchase  
15 agreements. A utility may provide qualified alternative energy  
16 resource options through either: (a) Resources it owns or contracts  
17 for; or (b) the purchase of credits issued by a clearinghouse or other  
18 system by which the utility may secure, for trade or other  
19 consideration, verifiable evidence that a second party has a qualified

1 alternative energy resource and that the second party agrees to  
2 transfer such evidence exclusively to the benefit of the utility.

3 (3) For the purposes of this section, a "qualified alternative  
4 energy resource" means the electricity produced from generation  
5 facilities that are fueled by: (a) Wind; (b) solar energy; (c)  
6 geothermal energy; (d) landfill gas; (e) wave or tidal action; (f) gas  
7 produced during the treatment of wastewater; (g) qualified hydropower;  
8 or (h) biomass energy based on animal waste or solid organic fuels from  
9 wood, forest, or field residues, or dedicated energy crops that do not  
10 include wood pieces that have been treated with chemical preservatives  
11 such as creosote, pentachlorophenol, or copper-chrome-arsenic.

12 (4) For the purposes of this section, "qualified hydropower" means  
13 the energy produced either: (a) As a result of modernizations or  
14 upgrades made after June 1, 1998, to hydropower facilities operating on  
15 May 8, 2001, that have been demonstrated to reduce the mortality of  
16 anadromous fish; or (b) by run of the river or run of the canal  
17 hydropower facilities that are not responsible for obstructing the  
18 passage of anadromous fish.

19 (5) The rates, terms, conditions, and customer notification of each  
20 utility's option or options offered in accordance with this section  
21 must be approved by the governing body of the consumer-owned utility or  
22 by the commission for investor-owned utilities. All costs and benefits  
23 associated with any option offered by an electric utility under this  
24 section must be allocated to the customers who voluntarily choose that  
25 option and may not be shifted to any customers who have not chosen such  
26 option.

27 (6) Each consumer-owned utility must report annually to the  
28 department and each investor-owned utility must report annually to the  
29 commission beginning October 1, 2002, until October 1, 2012, describing  
30 the option or options it is offering its customers under the  
31 requirements of this section, the rate of customer participation, the  
32 amount of qualified alternative energy resources purchased by  
33 customers, and the amount of utility investments in qualified  
34 alternative energy resources. The department and the commission  
35 together shall report annually to the legislature, beginning December  
36 1, 2002, until December 1, 2012, with the results of the utility  
37 reports.

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