

AMENDED IN ASSEMBLY MARCH 17, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1966

Introduced by Assembly Member Travis Allen

February 12, 2016

An act to amend Section ~~2802~~ 2805 of the Public Utilities Code, relating to energy.

LEGISLATIVE COUNSEL'S DIGEST

AB 1966, as amended, Travis Allen. Energy: ~~private energy producers~~; *conventional power sources*.

Under existing law, the Public Utilities Commission has regulatory jurisdiction over public utilities, including electrical corporations, as defined. Existing law permits a private energy producer, as defined, to generate electricity not generated from conventional sources, as defined, solely for its own use or the use of its tenants, or generating electricity to or for any electrical corporation, heat corporation, state agency, city, county, district, or an association thereof, but not the public, *specified*, without becoming a public utility subject to the general jurisdiction of the commission. *Under existing law, a conventional power source includes, but is not limited to, power derived from the operation of a hydropower facility greater than 30 megawatts.*

~~This bill would make nonsubstantive changes to this provision.~~

This bill would instead include the operation of a hydropower facility greater than 35 megawatts as a conventional power source.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 2805 of the Public Utilities Code is
2 amended to read:

3 2805. “Conventional power source” means power derived from
4 nuclear energy or the operation of a hydropower facility greater
5 than ~~30~~ 35 megawatts or the combustion of fossil fuels, unless
6 cogeneration technology, as defined in Section 25134 of the Public
7 Resources Code, is employed in the production of ~~such~~ that power.

8 SECTION 1. ~~Section 2802 of the Public Utilities Code is~~
9 amended to read:

10 ~~2802. “Private energy producer” includes every person,~~
11 ~~corporation, city, county, district, and public agency of the state~~
12 ~~generating or producing electricity not generated from conventional~~
13 ~~sources or natural gas for energy either directly or as a byproduct~~
14 ~~solely for its own use or the use of its tenants; or generating or~~
15 ~~producing electricity, or owning the means thereof, to or for any~~
16 ~~electrical corporation, heat corporation, state agency, city, county,~~
17 ~~district, or an association thereof, but not to or for the public for~~
18 ~~any other purpose. Notwithstanding any other law, a private energy~~
19 ~~producer shall not be found to be a public utility subject to the~~
20 ~~general jurisdiction of the commission solely because of conducting~~
21 ~~an activity authorized by this chapter.~~