

HB23-1281

HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Titone

1 Amend the Finance Committee Report, dated April 27, 2023, page 3,
2 strike lines 40 and 41 and substitute "RATES, INCLUDING FOR HOURLY
3 MATCHING OF ELECTRICITY USED;"

4 Page 6, strike lines 17 through 25 and substitute:

5 "(A) THE MATCHING OF ELECTROLYZER ENERGY CONSUMPTION
6 WITH ELECTRICITY PRODUCTION ON AN HOURLY BASIS, IF THE
7 TECHNOLOGY IS AVAILABLE;

8 (B) IDENTIFYING THE APPLICABLE ENERGY SOURCE, IF THE
9 INVESTOR-OWNED UTILITY IS REPORTING THE ENERGY SOURCE AS
10 RESULTING IN ZERO EMISSIONS FOR CLEAN HYDROGEN PRODUCTION AND
11 DEMONSTRATING THAT THE ELECTRICITY USED TO PRODUCE CLEAN
12 HYDROGEN COMES FROM RENEWABLE ENERGY THAT WOULD OTHERWISE
13 HAVE BEEN CURTAILED OR NOT DELIVERED TO LOAD OR FROM NEW ZERO
14 CARBON GENERATION THAT BEGAN PRODUCTION NO MORE THAN
15 THIRTY-SIX MONTHS BEFORE THE START OF THE OPERATIONS OF THE
16 ELECTROLYZER; AND"

17 Page 8, strike lines 21 through 29.

18 Renumber succeeding subparagraphs accordingly.

19 Page 9, after line 1 insert:

20

21 "(c) IN REVIEWING, APPROVING, DENYING, OR AMENDING AN
22 APPLICATION PURSUANT TO THIS SECTION, IF THE CLEAN HYDROGEN
23 PROJECT IS PROPOSED TO BE SITED IN AN AREA THAT WOULD AFFECT A
24 DISPROPORTIONATELY IMPACTED COMMUNITY, THE COMMISSION SHALL
25 WEIGH THE APPLICANT'S CUMULATIVE IMPACTS ANALYSIS AND DETERMINE
26 WHETHER, ON BALANCE, THE CLEAN HYDROGEN PROJECT WILL HAVE A
27 POSITIVE EFFECT ON THE DISPROPORTIONATELY IMPACTED COMMUNITY.
28 ANY PROPOSAL THAT WILL HAVE NET NEGATIVE CUMULATIVE IMPACTS ON
29 ANY DISPROPORTIONATELY IMPACTED COMMUNITY MUST BE DENIED. THE
30 COMMISSION'S DETERMINATION MUST INCLUDE A PLAIN LANGUAGE
31 SUMMARY OF ITS DETERMINATION."

** ** ** ** **