Session 125 - (2023-2024)

H 5118 General Bill, By G.M. Smith, West, Davis, Hager, Hewitt, Kirby, Long, M.M. Smith, B. Newton, Pendarvis, Sandifer, Hiott, Landing, Crawford, Brittain, Lawson, Williams, Whitmire, Jefferson, Bustos, Hartnett, Carter, Blackwell, Neese, W. Newton, Bradley, Erickson, Murphy, Brewer, Yow, C. Mitchell, Connell, Jordan, Thayer, Elliott, Wooten, Pedalino, Bailey, T. Moore, McGinnis, Gatch, Ligon, Gagnon, Hardee, B.L. Cox, Chapman, Leber, Anderson, Bannister, Calhoon, Felder, Hixon, Lowe, Taylor, Thigpen, Willis and Pope

Similar (H 5221)

Summary: Electrical Utilities, Electricity Regulation, and Economic Development

A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA TEN-YEAR ENERGY TRANSFORMATION ACT"; BY AMENDING SECTION 58-3-20, RELATING TO THE MEMBERSHIP, ELECTION, AND QUALIFICATIONS OF THE PUBLIC SERVICE COMMISSION, SO AS TO CHANGE THE NUMBER OF COMMISSIONERS FROM SEVEN TO THREE TO BE ELECTED BY THE GENERAL ASSEMBLY FROM THE STATE AT LARGE; BY AMENDING SECTION 58-3-140, RELATING TO THE PUBLIC SERVICE COMMISSION'S POWERS TO REGULATE PUBLIC UTILITIES, SO AS TO ESTABLISH CONSIDERATIONS AND STATE POLICY FOR THE COMMISSION'S DECISION-MAKING PROCESS, TO ESTABLISH A SCHEDULE FOR CERTAIN TESTIMONY AND DISCOVERY IN CONTESTED PROCEEDINGS, TO PERMIT ELECTRICAL UTILITY CUSTOMERS TO ADDRESS THE COMMISSION AS PUBLIC WITNESSES, AND TO ESTABLISH REQUIREMENTS FOR AN INDEPENDENT THIRD-PARTY CONSULTANT HIRED BY THE COMMISSION; BY AMENDING SECTION 58-3-250, RELATING TO SERVICE OF ORDERS AND DECISIONS ON PARTIES, SO AS TO MAKE A TECHNICAL CHANGE; BY AMENDING SECTION 58-4-10, RELATING TO THE OFFICE OF REGULATORY STAFF AND ITS REPRESENTATION OF PUBLIC INTEREST BEFORE THE COMMISSION, SO AS TO ESTABLISH ITS CONSIDERATIONS FOR PUBLIC INTEREST; BY ADDING SECTION 58-4-150 SO AS TO REQUIRE THE OFFICE OF REGULATORY STAFF TO PREPARE A COMPREHENSIVE STATE ENERGY ASSESSMENT AND ACTION PLAN AND TO ESTABLISH REQUIREMENTS FOR THIS PLAN; BY ADDING CHAPTER 38 TO TITLE 58 SO AS TO ESTABLISH THE SOUTH CAROLINA ENERGY POLICY INSTITUTE; BY ADDING SECTION 58-33-195 SO AS TO ENCOURAGE DOMINION ENERGY, THE PUBLIC SERVICE AUTHORITY, DUKE ENERGY CAROLINAS, AND DUKE ENERGY PROGRESS TO EVALUATE CERTAIN ELECTRICAL GENERATION FACILITIES AND PROVIDE FOR CONSIDERATIONS RELATED TO THESE FACILITIES; BY ADDING SECTION 58-31-205 SO AS TO PERMIT THE PUBLIC SERVICE AUTHORITY TO JOINTLY OWN ELECTRICAL GENERATION AND TRANSMISSION FACILITIES WITH INVESTOR-OWNED ELECTRIC UTILITIES, AND TO PROVIDE REQUIREMENTS FOR JOINT OWNERSHIP; BY AMENDING SECTION 58-27-650, RELATING TO REASSIGNMENT OF ELECTRIC SUPPLIERS' SERVICE AREAS, SO AS TO PERMIT THE COMMISSION TO APPROVE A REQUEST FOR ANY ELECTRIC SUPPLIER TO SERVE ANY TRANSFORMATIONAL ECONOMIC DEVELOPMENT PROJECT CUSTOMER UNDER CERTAIN CONDITIONS; BY AMENDING ARTICLE 9 OF CHAPTER 7, TITLE 13, RELATING TO THE GOVERNOR'S NUCLEAR ADVISORY COUNCIL, SO AS TO AS ESTABLISH THE COUNCIL IN THE OFFICE OF REGULATORY STAFF, TO PROVIDE FOR ITS DUTIES AND MEMBERSHIP, AND TO PROVIDE FOR THE COUNCIL'S DIRECTOR; BY AMENDING SECTION 37-6-604, RELATING TO THE CONSUMER ADVOCATE'S INTERVENTION ON MATTERS FILED AT THE COMMISSION, SO AS TO TRANSFER THESE DUTIES TO THE OFFICE OF REGULATORY STAFF; BY ADDING SECTION 58-33-196 SO AS TO ENCOURAGE CONSIDERATION OF DEPLOYMENT OF NUCLEAR FACILITIES AND TO PROVIDE RELATED REQUIREMENTS; BY ADDING SECTION 58-37-70 SO AS TO PERMIT A SMALL MODULAR NUCLEAR PILOT PROGRAM AND TO ESTABLISH REQUIREMENTS; BY ADDING ARTICLE 3 TO CHAPTER 37, TITLE 58 SO AS TO PROVIDE FOR STATE AGENCY REVIEW OF ENERGY INFRASTRUCTURE PROJECT APPLICATIONS AND TO PROVIDE A SUNSET; BY AMENDING SECTION 58-40-10, RELATING TO THE DEFINITION OF "CUSTOMER-GENERATOR", SO AS TO ESTABLISH CHARACTERISTICS FOR A "CUSTOMER-GENERATOR"; BY AMENDING SECTION 58-41-30, RELATING TO VOLUNTARY RENEWABLE ENERGY PROGRAMS, SO AS TO PROVIDE ADDITIONAL REQUIREMENTS AND CONSIDERATIONS FOR THESE PROGRAMS; BY AMENDING SECTION 58-41-10, RELATING TO DEFINITIONS, SO AS TO ADD THE DEFINITION OF "ENERGY STORAGE FACILITIES"; BY AMENDING SECTION 58-41-20, RELATING TO PROCEEDINGS FOR ELECTRICAL UTILITIES' AVOIDED COST METHODOLOGIES AND RELATED PROCESSES, SO AS TO AUTHORIZE COMPETITIVE PROCUREMENT PROGRAMS FOR RENEWABLE ENERGY, CAPACITY, AND STORAGE, TO PERMIT COMPETITIVE PROCUREMENT OF NEW RENEWABLE ENERGY CAPACITY AND ESTABLISH REQUIREMENTS FOR NON-COMPETITIVE PROCUREMENT PROGRAMS, AND TO DELETE LANGUAGE REGARDING THE COMMISSION HIRING THIRD-PARTY EXPERTS FOR THESE PROCEEDINGS; BY ADDING SECTION 58-41-25 SO AS TO PROVIDE FOR A PROCESS FOR COMPETITIVE PROCUREMENT OF RENEWABLE ENERGY FACILITIES; BY AMENDING SECTION 58-33-20, RELATING TO DEFINITIONS, SO AS TO ADD THE DEFINITION "LIKE FACILITY"; BY

AMENDING ARTICLE 3 OF CHAPTER 33, TITLE 58, RELATING TO CERTIFICATION OF MAJOR UTILITY FACILITIES, SO AS TO PROVIDE FOR A LIKE FACILITY, TO ESTABLISH REQUIREMENTS AND CONSIDERATIONS FOR PROPOSED FACILITIES, TO PROVIDE WHAT ACTIONS MAY BE TAKEN WITHOUT PERMISSION FROM THE COMMISSION, AND TECHNICAL CHANGES; BY AMENDING SECTION 58-37-40, RELATING TO INTEGRATED RESOURCES PLANS, SO AS TO ADD CONSIDERATION OF A UTILITY'S TRANSMISSION AND DISTRIBUTION RESOURCE PLAN, TO ESTABLISH PROCEDURAL REQUIREMENTS AND EVALUATION BY THE COMMISSION, AND REQUIRE PARTIES TO BEAR THEIR OWN COSTS; BY AMENDING SECTION 58-3-260, RELATING TO COMMUNICATIONS BETWEEN THE COMMISSION AND PARTIES, SO AS TO MODIFY REQUIREMENTS FOR ALLOWABLE EX PARTE COMMUNICATIONS AND BRIEFINGS, AND TO PERMIT COMMISSION TOURS OF UTILITY PLANTS OR OTHER FACILITIES UNDER CERTAIN CIRCUMSTANCES; BY AMENDING SECTION 58-3-270, RELATING TO EX PARTE COMMUNICATION COMPLAINT PROCEEDINGS AT THE ADMINISTRATIVE LAW COURT, SO AS TO PERMIT AN ORDER TOLLING ANY DEADLINES ON A PROCEEDING SUBJECT TO A COMPLAINT TO THE EXTENT THE PROCEEDING WAS PREJUDICED SO THAT THE COMMISSION COULD NOT CONSIDER THE MATTER IMPARTIALLY; BY ADDING CHAPTER 43 TO TITLE 58 SO AS TO ESTABLISH ECONOMIC DEVELOPMENT RATES FOR ELECTRICAL UTILITIES; BY AMENDING SECTION 58-33-310, RELATING TO AN APPEAL FROM A FINAL ORDER OR DECISION OF THE COMMISSION, SO AS TO REQUIRE A FINAL ORDER ISSUED PURSUANT TO CHAPTER 33, TITLE 58 BE IMMEDIATELY APPEALABLE TO THE SOUTH CAROLINA SUPREME COURT AND TO PROVIDE FOR AN EXPEDITED HEARING; BY AMENDING SECTION 58-33-320, RELATING TO JOINT HEARINGS AND JOINT INVESTIGATIONS, SO AS TO MAKE A CONFORMING CHANGE; BY ADDING SECTION 58-4-160 SO AS TO REQUIRE THE OFFICE OF REGULATORY STAFF TO CONDUCT A STUDY TO EVALUATE ESTABLISHING A THIRD-PARTY ADMINISTRATOR FOR ENERGY EFFICIENCY AND DEMAND-SIDE MANAGEMENT PROGRAMS; BY AMENDING SECTION 58-37-10, RELATING TO DEFINITIONS, SO AS TO ADD A REFERENCE TO "DEMAND-SIDE MANAGEMENT PROGRAM" AND PROVIDE DEFINITIONS FOR "COST-EFFECTIVE" AND "DEMAND-SIDE MANAGEMENT PILOT PROGRAM"; BY AMENDING SECTION 58-37-20, RELATING TO COMMISSION PROCEDURES ENCOURAGING ENERGY EFFICIENCY PROGRAMS, SO AS TO EXPAND COMMISSION CONSIDERATIONS FOR COST-EFFECTIVE, DEMAND-SIDE MANAGEMENT PROGRAMS, AND REQUIRE EACH INVESTOR-OWNED ELECTRICAL UTILITY TO SUBMIT AN ANNUAL REPORT TO THE COMMISSION REGARDING ITS DEMAND-SIDE MANAGEMENT PROGRAMS; BY AMENDING SECTION 58-37-30, RELATING TO REPORTS ON DEMAND-SIDE ACTIVITIES, SO AS TO MAKE A CONFORMING CHANGE; BY ADDING SECTION 58-37-35 SO AS TO PERMIT PROGRAMS AND CUSTOMER INCENTIVES TO ENCOURAGE OR PROMOTE DEMAND-SIDE MANAGEMENT PROGRAMS FOR CUSTOMER-SITED DISTRIBUTION RESOURCES, AND TO PROVIDE CONSIDERATIONS FOR THESE PROGRAMS; BY AMENDING SECTION 58-37-50, RELATING TO AGREEMENTS FOR ENERGY EFFICIENCY AND CONSERVATION MEASURES, SO AS TO ESTABLISH CERTAIN TERMS AND RATE RECOVERY FOR AGREEMENTS FOR FINANCING AND INSTALLING ENERGY EFFICIENCY AND CONSERVATION MEASURES, AND FOR APPLICATION TO A RESIDENCE OCCUPIED BEFORE THE MEASURES ARE TAKEN; BY ADDING SECTION 58-31-215 SO AS TO AUTHORIZE THE PUBLIC SERVICE AUTHORITY, IN CONSULTATION WITH THE DEPARTMENT OF COMMERCE, TO SERVE AS AN ANCHOR SUBSCRIBER OF NATURAL GAS AND PIPELINE CAPACITY FOR THIS STATE, TO ESTABLISH THE "ENERGY INVESTMENT AND ECONOMIC DEVELOPMENT FUND", AND TO PROVIDE FOR RELATED REQUIREMENTS; BY AMENDING SECTION 58-3-70, RELATING TO COMPENSATION OF PUBLIC SERVICE COMMISSION MEMBERS, SO AS TO ESTABLISH SALARIES IN AMOUNTS EQUAL TO NINETY-SEVEN AND ONE-HALF PERCENT OF SUPREME COURT ASSOCIATE JUSTICES.

02/15/24	**House**	**Introduced and read first time (House Journal-page 15)**
02/15/24	**House**	**Referred to Committee on Labor, Commerce and Industry (House Journal-page 15)**
02/28/24	**House**	**Member(s) request name removed as sponsor: Guest**
03/05/24	**House**	**Member(s) request name added as sponsor: Pope**
03/21/24	**House**	**Committee report: Favorable with amendment Labor, Commerce and Industry (House Journal-page 5)**
03/26/24	**House**	**Member(s) request name removed as sponsor: Guffey, Sessions, Gibson**

03/26/24	**House**	**Requests for debate-Rep(s). Hiott, Hixon, B Newton, Hewitt, Carter, Felder, Ligon, O'Neal, T Moore, Nutt, Crawford, Guest, Brittain, JE Johnson, Hardee, BL Cox, Pace, Harris, Blackwell, Oremus, Williams, Henegan, Cromer, Chapman, Henderson-Myers, West, Anderson, Clyburn, Kirby, Gilliard, Rivers, King, Ott, Cobb-Hunter, Pendarvis, Garvin, Bauer, Robbins, Whitmire, Sandifer, Vaughan, Trantham, Ballintine, S Jones, Mitchell, Gilliam, Erickson, Wooten, Caskey, Weeks, W Jones, Dillard, McDaniels (House Journal-page 54)**
03/27/24	**House**	**Member(s) request name removed as sponsor: Ott**
03/27/24	**House**	**Amended (House Journal-page 41)**
03/27/24	**House**	**Read second time (House Journal-page 41)**
03/27/24	**House**	**Roll call Yeas-88 Nays-21 (House Journal-page 159)**
03/28/24	**House**	**Read third time and sent to Senate (House Journal-page 78)**
03/28/24	**House**	**Roll call Yeas-83 Nays-21 (House Journal-page 82)**
04/02/24	**Senate**	**Introduced and read first time (Senate Journal-page 18)**
04/02/24	**Senate**	**Referred to Committee on Judiciary (Senate Journal-page 18)**
04/10/24	**Senate**	**Committee report: Favorable with amendment Judiciary (Senate Journal-page 7)**
04/15/24		**Scrivener's error corrected**
05/07/24	**Senate**	**Amended (Senate Journal-page 48)**
05/07/24	**Senate**	**Read second time (Senate Journal-page 48)**
05/08/24		**Scrivener's error corrected**
05/08/24	**Senate**	**Read third time and returned to House with amendments (Senate Journal-page 43)**
05/08/24	**Senate**	**Roll call Ayes-40 Nays-2 (Senate Journal-page 43)**
05/09/24	**House**	**Non-concurrence in Senate amendment (House Journal-page 20)**
05/09/24	**House**	**Roll call Yeas-23 Nays-76 (House Journal-page 24)**
05/09/24	**Senate**	**Senate insists upon amendment and conference committee appointed Rankin, Hutto, Massey (Senate Journal-page 76)**
05/09/24	**House**	**Conference committee appointed West, Sandifer, Ott (House Journal-page 145)**