

Castor-Inslee Amendment

AMENDMENT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY _____

In subtitle A, after section 101 insert the following new section:

1 **SEC. 102. CLARIFYING STATE AUTHORITY TO ADOPT RE-**
2 **NEWABLE ENERGY INCENTIVES.**

3 Section 210 of the Public Utility and Regulatory Pol-
4 icy Act is amended by adding at the end thereof:

5 “(o) CLARIFICATION OF STATE AUTHORITY TO
6 ADOPT RENEWABLE ENERGY INCENTIVES.—Notwith-
7 standing any other provision of this Act or the Federal
8 Power Act, a Statelegislature or regulatory authority may
9 set the rates for a sale of electric energy by a facility gen-
10 erating electric energy from renewable energy sources pur-
11 suant to a State-approved production incentive program
12 under which the facility voluntarily sells electric energy.
13 For purposes of this subsection, ‘State-approved produc-
14 tion incentive program’ means a requirement imposed pur-
15 suant to State law, or by a State regulatory authority act-
16 ing within its authority under State law, that an electric

1 utility purchase renewable energy (as defined in section
2 609 of this Act) at a specified rate.”.

