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2 Councilmember Tommy Wells

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6 Councilmember Mary M. Cheh

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8 Councilmember David Catania

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10 Councilmember Harry Thomas, Jr.

11 _____
12 Councilmember Kwame Brown

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14 Councilmember Yvette Alexander

15 _____
16 Chairman Vincent Gray

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18 Councilmember Muriel Bowser

19 _____
20 Councilmember Phil Mendelson

21
22 A BILL

23 _____

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27 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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32 Councilmember Cheh, Chairman Gray, and Councilmembers Wells, Catania,
33 Thomas, Brown, Alexander, Gray, Bowser, and Mendelson introduced the following bill,
34 which was referred to the Committee on _____.

35
36 To amend the Retail Electric Competition and Consumer Protection Act of 1999 to
37 eliminate the Reliable Energy Trust Fund and to clarify the net metering
38 requirements; to amend the Omnibus Utility Amendment Act of 2004 to eliminate
39 the Natural Gas Trust Fund; to amend the Renewable Energy Portfolio Standard
40 Act of 2004 to increase the required percentage of renewable energy, to allow
41 solar-thermal water heaters and energy collectors to qualify as tier-one renewable
42 energy sources, to require that all solar electricity counted towards the solar
43 carve-out be generated within the District, and to require energy suppliers to enter
44 into long-term contracts for the purchase of renewable energy credits from on-site
45 generators; to amend the Green Building Act of 2006 to require certain private
46 buildings to measure and report their energy efficiency; to require the Public

1 Service Commission to minimize the negative effects of energy companies’
2 activities on human health and the natural environment; to require the Office of
3 the People’s Counsel to minimize the negative effects of energy companies’
4 operations on human health and the natural environment; to establish a
5 Sustainable Energy Trust Fund to support the Sustainable Energy Utility created
6 by this act; to establish an Energy Assistance Trust Fund to support the universal
7 service programs mandated by this act; to transfer all funds currently in the
8 Reliable Energy Trust Fund and the Natural Gas Trust Fund to the Sustainable
9 Energy Trust Fund and the Energy Assistance Trust Fund; to create a Sustainable
10 Energy Utility that will be responsible for administering energy efficiency and
11 renewable energy programs and services in the District of Columbia; to establish
12 a contract administrator for the Sustainable Energy Utility; to establish the
13 Sustainable Energy Utility Oversight Board responsible for oversight of the
14 Sustainable Energy Utility; to set certain goals and benchmarks for the
15 Sustainable Energy Utility; to require the Public Service Commission to establish
16 rules governing interconnection; and to amend the District of Columbia Air
17 Pollution Control Act of 1984 to allow the Mayor to enter into necessary
18 agreements with governments and agencies of other states or their subdivisions, or
19 any interstate or regional agency, for the prevention and control of air pollution.
20

21 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

22 That this act may be cited as the “Clean and Affordable Energy Act of 2007”.

23 Sec. 2. Definitions.

24 For the purposes of this act, the term:

25 (1) “DDOE” means the District of Columbia Department of the Environment
26 Energy Division.

27 (2) “Energy company” means the incumbent electricity or natural gas utility, or
28 any supplier of electricity or natural gas that supplies the District with either commodity.

29 (3) “Fiscal agent” means the Office of the Chief Financial Officer.

30 (4) “OIML” means the International Association of Legal Metrology.

31 (5) “SRCC” means the Solar Rating and Certification Corporation.

1 (6) “Sustainable energy utility” or “SEU” means the private contractor selected to
2 develop, coordinate, and provide programs for energy end-users in Washington, D.C. for
3 the purpose of promoting the sustainable use of energy in Washington, D.C.

4 (7) “Sustainable energy utility oversight board” (“Oversight board”) means a
5 board comprised of public and private sector representatives that acts to advise the
6 DDOE in the development and revision of SEU performance targets.

7 Sec. 3. Establishment of a Sustainable Energy Utility.

8 (a) The District Department of the Environment shall:

9 (1) Within 90 days of the effective date of this act, convene the
10 Sustainable Energy Utility Oversight Board;

11 (2) Within 270 days of the effective date of this act, issue a request for
12 proposal for the SEU. In preparing this RFP, the DDOE shall consult with a person,
13 entity, or corporation that has previous experience in drafting a RFP for a non-
14 governmental, comprehensive statewide energy efficiency administrator;

15 (3) The RFP shall be written to account for the requirements of this act;

16 (4) Within 360 days of the effective date of this act, select a contractor for
17 the SEU;

18 (5) Provide staff, funding, and other resources to the Oversight Board;

19 (6) Ensure continuity of program implementation and sufficient carry-over
20 funding during the transition between the end of one SEU contract term and the
21 beginning of another SEU contract term, so that Washingtonians may still have regular
22 access to sustainable energy services during transitional periods;

1 (7) Be responsible for administering existing energy efficiency, renewable
2 energy, and universal service programs beginning on the effective date of this act and
3 continuing until the latter of:

4 (A) The beginning of the first SEU contract term, or

5 (B) The implementation of the first set of SEU-run programs; and

6 (8) For the purposes of this section have independent contracting
7 authority.

8 (b) Routine administration of the SEU contract shall be managed by the DDOE
9 and the funds to support the SEU's activities shall be managed by the Fiscal Agent. The
10 SEU will be selected by the DDOE through an open, competitive bidding process. The
11 Oversight Board shall review each bid and provide a recommendation to the DDOE.

12 (c) The SEU shall:

13 (1) Design and deliver comprehensive end-user energy efficiency and
14 customer-sited renewable energy services to households and businesses in Washington,
15 D.C.;

16 (2) Operate under a contract to the DDOE:

17 (A) For a term of between 5-7 years;

18 (B) Worth not less than an average of \$15 million per year over the
19 length of the contract; and

20 (C) Revocable should the SEU fail to meet its requirements.

21 (3) Provide bi-annual reports to the Oversight Board and DDOE on its
22 progress towards meeting the performance targets specified in its contract;

1 (4) Be responsible for meeting certain annual and contract-length
2 performance measurements specified in its contract;

3 (5) Not be one of the incumbent electricity or natural gas utilities,
4 although the SEU may use one or both of the incumbent utilities as implementation
5 contractors; and

6 (6) Execute the contract under a trade name to be determined by the
7 DDOE.

8 (d) The Sustainable Energy Utility Oversight Board shall:

9 (1) Be composed of the following 11 members, all of whom shall have
10 expertise in energy efficiency and/or renewable energy:

11 (A) The Director of the Department of the Environment, or his
12 designee, who shall chair the Oversight Board;

13 (B) The Chair of the Public Service Commission or her designee;

14 (C) The People’s Counsel or her designee;

15 (D) Two designees of the Chair of the Committee with oversight of
16 the utility regulation function of the District government; and

17 (E) Four members appointed by the Mayor and with one appointee
18 representing each of:

19 (i) The building industry;

20 (ii) The building management industry;

21 (iii) Residential customers; and

22 (iv) The renewable energy industry.

1 (F) One member each representing the incumbent natural gas and
2 electric utilities.

3 (2) Be responsible for meeting at least once within 90 days of the effective
4 date of this act.

5 (3) Set and approve rules governing its structure and function within 120
6 days of the effective date of this act, based on the following restrictions:

7 (A) The term for each appointed member shall last 2 years;

8 (B) Any appointed member may be removed at any time if both the
9 Mayor and the Chairman of the appropriate Committee approve his or her removal;

10 (C) If the SEU requests a change of any of its performance targets
11 via the DDOE, the Oversight Board must convene within 1 week of the SEU's request in
12 order to consider the proposal and to provide recommendations to the DDOE;

13 (4) Draft and approve a set of annual and contract term performance
14 requirements, based on the following guidelines:

15 (A) The Sustainable Energy Utility must reduce overall electricity
16 and natural gas use in the District by a certain amount below a certain level by the
17 conclusion of its contract;

18 (B) The Sustainable Energy Utility shall concentrate on reducing
19 peak electricity demand in the District;

20 (C) The Sustainable Energy Utility shall be responsible for
21 implementing programs and/or incentives leading to the installation of a certain volume
22 of renewable energy equipment to meet a defined goal of generation capacity or its offset
23 equivalent in the District before the conclusion of its contract;

1 (D) The Sustainable Energy Utility shall be responsible for
2 fostering the development of green-collar jobs in the District;

3 (E) The Sustainable Energy Utility shall focus on reducing the
4 electricity and natural gas bills of low-income residents in the District;

5 (G) The Sustainable Energy Utility shall be required to coordinate
6 its efforts with those of similar entities in neighboring jurisdictions should such entities
7 come into being and those of any other entities operating demand-side management
8 programs in the District or any neighboring jurisdiction;

9 (H) The Sustainable Energy Utility shall be responsible for
10 attempting to provide the same quality of service to each of the District's 8 wards;

11 (I) The Sustainable Energy Utility shall be responsible for reducing
12 the energy use of the District's largest energy users; and

13 (J) The Sustainable Energy Utility bidders shall be required to
14 submit bids that meet or exceed these performance requirements, and the winning bid
15 shall then serve as the performance metric by which the SEU's performance is measured.

16 (5) Design a set of performance-based incentives for the SEU contract;

17 (6) Submit the set of requirements listed in paragraphs (4) and (5) of this
18 sub-section to the DDOE within 180 days of the effective date of this act;

19 (7) Receive biannual reports from the Sustainable Energy Utility, as
20 described in subsection (c)(5) of this section;

21 (8) Review the requests for proposal developed by the DDOE for the SEU,
22 and provide recommendations based on its analysis;

1 (9) Select an independent professional individual, organization, or
2 corporation to monitor and verify results reported by the SEU in annual and contract-term
3 reports, and DDOE shall be responsible for contracting with this individual, organization,
4 or corporation; and

5 (10) Prepare, with technical and budgetary support from the DDOE, an
6 annual report on the performance of the SEU to be presented to the Council on the first
7 day of each fiscal year, beginning following the first full fiscal year of SEU operation.

8 (e) The SEU shall receive up to \$20 million annually from the Sustainable
9 Energy Utility Trust Fund, the specific annual amount(s) to be defined in the contract.
10 Furthermore, the SEU may raise bonds, tax exempt if eligible, with a cumulative initial
11 value for the first contract period of up to one hundred million real 2007 dollars, to be
12 used solely for the purposes of fulfilling the terms of the SEU contract.

13 Sec. 4. Sustainable Energy Trust Fund.

14 (a)(1) There is hereby established the Sustainable Energy Trust Fund, which shall
15 be used solely for the purposes stated in subsection (c) of this section.

16 (2) The gas company and electric company shall remit all proceeds
17 collected under subsection (b) of this section to the Mayor on a monthly basis. The
18 Mayor shall deposit those proceeds into the Sustainable Energy Trust Fund. All proceeds
19 collected by the gas company and electric company under subsection (b) of this section
20 shall be credited to the Sustainable Energy Trust Fund without regard to fiscal year
21 limitation and shall not at any time be transferred to, lapse into, or be commingled with
22 the General Fund of the District of Columbia or any other fund or account of the District
23 of Columbia.

1 (3) All interest earned on monies deposited in the Sustainable Energy
2 Trust Fund shall be credited to the Sustainable Energy Trust Fund and shall be used
3 solely for the purposes designated in this section. All revenue credited to the Sustainable
4 Energy Trust Fund shall be used solely to fund the programs mandated by subsection (c)
5 of this section.

6 (4) All funds collected by the Mayor through the sale of credits associated
7 with the Renewable Greenhouse Gas Initiative shall be deposited in the Sustainable
8 Energy Trust Fund and shall be used solely for the purposes designated in this section.
9 Any such funds may be used to fund the Sustainable Energy Utility above and beyond the
10 \$20 million annual limit imposed in section 3(a).

11 (5) Funds deposited into the Fund shall not revert to the unrestricted fund
12 balance of the General Fund of the District of Columbia at the end of a fiscal year, or at
13 any other time, but shall be continually available for the purposes set forth in subsection
14 (b) of this section without regard to fiscal year limitation, subject to authorization by
15 Congress.

16 (b)(1) All customers other than those participating in the residential essential
17 service program established by the DDOE shall contribute to the Sustainable Energy
18 Trust Fund through a non-bypassable charge listed on customers' bills and collected by
19 the gas company and electric company.

20 (2)(A) The charge mandated by this subsection shall be \$.005 per therm
21 on natural gas bills. The charge shall be applicable beginning 30 days from the effective
22 date of this act.

1 (B) The charge mandated by this subsection shall be \$.002 per
2 kilowatt hour on electricity bills. The charge shall be applicable beginning 30 days from
3 the effective date of this act.

4 (c) The Sustainable Energy Trust Fund shall be used solely to fund:

5 (1) The Sustainable Energy Utility;

6 (2) The activities of the Sustainable Energy Utility Oversight Board; and

7 (3) Administration of the SEU by DDOE.

8 (d) The Fiscal Agent shall have the sole power to withdraw funds from the
9 Sustainable Energy Trust Fund, solely for the purpose of this act.

10 (e) The Fiscal Agent shall disburse funds in the following amounts:

11 (1) Disburse up to \$250,000 annually to the DDOE to support the
12 activities of the Oversight Board. Of that \$250,000, no more than \$25,000 shall be used
13 to support activities of the members of the board. Up to \$225,000 may be spent annually
14 to fund independent analysis of the SEU's performance;

15 (2) Disburse up to 10% of the value of the contract to the DDOE for
16 administration and oversight of the SEU;

17 (3) Interface as necessary with bonding and revenue authorities;

18 (4) Pay SEU invoices, as directed by the DDOE.

19 Sec. 5. Energy Assistance Trust Fund.

20 (a)(1) There is hereby established the Energy Assistance Trust Fund, which shall
21 be a proprietary fund in the nature of an enterprise fund as classified under D.C. Official
22 Code § 47-373(1)(B).

1 (2) The gas company and electric company shall remit all proceeds
2 collected under subsection (b) of this section to the Mayor on a monthly basis. The
3 Mayor shall deposit those proceeds into the Energy Assistance Trust Fund. All proceeds
4 collected by the gas company and electric company under subsection (b) of this section
5 shall be credited to the Energy Assistance Trust Fund without regard to fiscal year
6 limitation and shall not at any time be transferred to, lapse into, or be commingled with
7 the General Fund of the District of Columbia or any other fund or account of the District
8 of Columbia.

9 (3) All interest earned on monies deposited in the Energy Assistance Trust
10 Fund shall be credited to the Energy Assistance Trust Fund and shall be used solely for
11 the purposes designated in this section. All revenue credited to the Energy Assistance
12 Trust Fund shall be used solely to fund the programs mandated by subsection (c) of this
13 section.

14 (4) Funds deposited into the Fund shall not revert to the unrestricted fund
15 balance of the General Fund of the District of Columbia at the end of a fiscal year, or at
16 any other time, but shall be continually available for the purposes set forth in subsection
17 (b) of this section without regard to fiscal year limitation, subject to authorization by
18 Congress.

19 (b)(1) All customers other than those participating in the residential essential
20 service program established by the DDOE/ED shall contribute to the Energy Assistance
21 Trust Fund through a non-bypassable charge listed on customers' bills and collected by
22 the gas company and electric company.

1 (2)(A) The charge mandated by this subsection shall be \$.001 per therm
2 on natural gas bills. The charge shall be applicable beginning 30 days from the effective
3 date of this act.

4 (B) The charge mandated by this subsection shall be \$.0005 per
5 kilowatt hour on electricity bills. The charge shall be applicable beginning 30 days from
6 the effective date of this act.

7 (c) The Energy Assistance Trust Fund shall be used solely to fund the Universal
8 Service Program established by the DDOE.

9 Sec. 6. The Retail Electric Competition and Consumer Protection Act of 1999,
10 effective May 9, 2000 (D.C. Law 13-107; D.C. Official Code § 34-1501 *et seq.*), is
11 amended as follows:

12 (a) Section 114 is repealed, and all funds remaining in the Reliable Energy Trust
13 Fund shall be transferred to the Sustainable Energy Trust Fund and Energy Assistance
14 Fund, defined in sections 4 and 5 of this act, and shall be divided evenly between the 2
15 funds.

16 (b) Section 118 is amended by:

17 (1) Striking subsections (a) and (b), and

18 (2) Inserting a new section (a-1) to read as follows:

19 “(a-1) Within 90 days of the effective date of this Act, the Commission shall
20 adopt standards for the net metering of customer generators to be compatible with the
21 model rule MR-NM2005 of the Interstate Renewable Energy Council in all its provisions,
22 and shall require all utilities under its jurisdiction to revise their tariffs accordingly.”;

1 Sec. 7. (a) Section 101 (D.C. Official Code § 34-1651) of the Omnibus Utility
2 Amendment Act of 2004, effective April 12, 2005 (D.C. Law 15-142; D.C. Official Code
3 § 34-1601 *et seq.*), is repealed.

4 (b) All funds remaining in the Natural Gas Trust Fund shall be transferred to the
5 Sustainable Energy Trust Fund and Energy Assistance Fund, defined in sections 4 and 5
6 of this act, and shall be divided evenly between the 2 funds.

7 Sec. 8. The Renewable Energy Portfolio Standard Act of 2004, effective April
8 12, 2005 (D.C. Law 15-340; D.C. Official Code § 34-1431 *et seq.*), is amended as
9 follows:

10 (a) Paragraph 14 of section 3 is amended to read as follows:

11 “(14) “Solar energy” means radiant energy, direct diffuse or reflected,
12 received from the sun at wavelengths suitable for conversion into thermal, chemical, or
13 electrical energy, that is collected, generated, and/or stored for use at a later time.”

14 (b) Section 4 is amended as follows:

15 (1) A new subsection (a-1) is inserted to read as follows:

16 “(a-1) Solar Thermal Systems:

17 “(1) For non-residential solar heating, cooling, or process heat property
18 producing or displacing greater than 10,000 kilowatt hours per year, including multi-
19 family residential property, the solar collectors shall be rated and certified by the SRCC,
20 and the energy output shall be determined by an on-site energy meter that meets
21 performance standards established by OIML and are subject to approval by the Public
22 Service Commission;

1 “(2) For non-residential solar heating, cooling, or process heat property
2 producing or displacing less than 10,000 kilowatt hours per year, the solar collectors shall
3 be rated and certified by the SRCC, and the energy output shall be determined by the
4 SRCC OG-300 annual system performance rating protocol applicable to the property, or
5 by the SRCC OG-100 solar collector rating protocol, and/or by an on-site energy meter
6 that meets performance standards established by OIML and is subject to approval by the
7 Public Service Commission; and

8 “(3) For residential solar thermal resources, the property shall be certified
9 by the SRCC and the energy output shall be determined by the SRCC OG-300 annual
10 rating protocol and/or by an on-site energy meter that meets performance standards
11 established by OIML and is subject to approval by the Public Service Commission.”

12 (c) Subsection (c) of section 4 is amended to read as follows:

13 “(c) The renewable energy portfolio standard shall be as follows:

14 “(1) In 2007, 1.5% from tier one renewable sources, 2.5% from tier two
15 renewable sources, and 0.005% from solar energy;

16 “(2) In 2008, 2% from tier one renewable sources, 2.5% from tier two
17 renewable sources, and 0.011 % from solar energy;

18 “(3) In 2009, 2.5% from tier one renewable sources, 2.5% from tier two
19 renewable sources, and 0.019 % from solar energy;

20 “(4) In 2010, 3% from tier one renewable sources, 2.5% from tier two
21 renewable sources, and 0.028 % from solar energy;

22 “(5) In 2011, 4% from tier one renewable sources, 2.5% from tier two
23 renewable sources, and 0.04% from solar energy;

1 “(6) In 2012, 5% from tier one renewable sources, 2.5% from tier two
2 renewable sources, and not less than 0.07 % from solar energy;

3 “(7) In 2013, 6.5% from tier one renewable sources, 2.5% from tier two
4 renewable sources, and not less than 0.10 % from solar energy;

5 “(8) In 2014, 8% from tier one renewable sources, 2.5% from tier two
6 renewable sources, and not less than 0.13 % from solar energy;

7 “(9) In 2015, 9.5% from tier one renewable sources, 2.5% from tier two
8 renewable sources, and not less than 0.17 % from solar energy;

9 “(10) In 2016, 11.5% from tier one renewable sources, 2% from tier two
10 renewable sources, and not less than 0.21 % from solar energy;

11 “(11) In 2017, 13.5% from tier one renewable sources, 1.5% from tier two
12 renewable sources, and not less than 0.25% from solar energy;

13 “(12) In 2018, 15.5% from tier one renewable sources, 1% from tier two
14 renewable sources, and not less than 0.30% from solar energy;

15 “(13) In 2019, 17.5% from tier one renewable sources, 0.5% from tier two
16 renewable sources, and not less than 0.35 % from solar energy; and

17 “(14) In 2020, 20% from tier one renewable sources, 0% from tier two
18 renewable sources, and not less than 0.4% from solar energy.”

19 (d) Section 4 is amended by adding new subsections (d-1) and (d-2) to read as
20 follows:

21 “(d-1) Subject to subsections (a) and (c) of this section, an electricity supplier
22 shall meet the solar energy requirement by obtaining the equivalent amount of renewable

1 energy credits from solar energy systems connected to the distribution grid serving the
2 District of Columbia.

3 “(d-2) Any shortfall in accumulating the solar renewable energy credits to meet
4 the solar set-aside requirement must be met by payment of the alternative compliance
5 fee.”

6 (e) Section 10 is amended as follows:

7 (1) A new subsection (b-1) is added to read as follows:

8 “(b-1)(1) If an electricity supplier purchases solar renewable energy credits
9 directly from a renewable on-site generator to meet the solar component of the renewable
10 energy portfolio standard, the duration of the contract term for the solar renewable energy
11 credits may not be less than 15 years;

12 “(2) The minimum required term under subparagraph (i) of this paragraph
13 does not affect the ability of the parties to negotiate a price for a solar renewable energy
14 credit that varies over time in any manner.”; and

15 (2) A new subsection (b-2) is added to read as follows:

16 “(b-2)(1) An electricity supplier that purchases solar renewable energy credits
17 from a renewable on-site generator with a capacity not exceeding 10 kilowatts shall
18 purchase the credits with a single initial payment representing the full estimated
19 production of the system for the life of the contract; and

20 “(2) The Commission shall:

21 “(A) Develop a method for estimating annual production from the
22 type of system described in subparagraph (1) of this paragraph and allocating the credits

1 to the electricity supplier in a manner that is consistent with the duration of the contract;
2 and

3 “(B) Determine the rate for a payment made to a renewable on-site
4 generator under subparagraph (1) of this paragraph.”.

5 Sec. 9. The Green Building Act of 2006, effective March 8, 2007, (D.C. Law 16-
6 234, § 6-1451 *et seq.*) is amended as follows:

7 (a) A new subsection (a-1) is added to section 3 to read as follows:

8 “(a-1) Beginning by January 1, 2009, all buildings owned or operated by the
9 District or any of its instrumentalities shall be benchmarked annually using the ENERGY
10 STAR Portfolio Manager benchmarking tool; provided, that the building has 10,000
11 square feet of gross floor area and is of a building type for which ENERGY STAR
12 benchmarking tools are available. Benchmark and ENERGY STAR statements of energy
13 performance for each building shall be made available to the general public within 60
14 after they are generated.”

15 (a) A new subsection (a-1) is added to section 4 to read as follows:

16 “(a-1) All privately-owned buildings shall be benchmarked annually using the
17 ENERGY STAR Portfolio Manager benchmarking tool as designated by the following
18 schedule; provided, that the building has 10,000 square feet of gross floor area and is of a
19 building type for which ENERGY STAR tools are available. Benchmark and ENERGY
20 STAR statements of energy performance for each building shall be made available to the
21 general public within 60 days after they are generated.

22 “(1) All buildings over 200,000 square feet of gross floor area beginning
23 in 2010 and thereafter;

1 “(2) All buildings over 150,000 square feet of gross floor area beginning
2 in 2011 and thereafter;

3 “(3) All buildings over 100,000 square feet of gross floor area beginning
4 in 2012 and thereafter;

5 “(4) All buildings over 50,000 square feet of gross floor area beginning in
6 2013 and thereafter; and

7 “(5) All buildings over 10,000 square feet of gross floor area beginning in
8 2014 and thereafter.”

9 (b) A new subsection (b-1) is added to section 4 read as follows:

10 “(c) A project that has submitted the first construction building construction
11 permit after January 1, 2012, for new construction or substantial improvement shall, prior
12 to construction, estimate its energy performance using the ENERGY STAR Target Finder
13 Tool and be benchmarked annually using the ENERGY STAR Portfolio Manager
14 benchmarking tool; provided, that the building has 10,000 square feet of gross floor area
15 or more and is of a building type for which ENERGY STAR tools are available.
16 Benchmark and Target Finder scores and ENERGY STAR statements of energy
17 performance for each building shall be made available to the general public within 60
18 days after they are generated.”

19 Sec. 10. Energy companies.

20 (a) The Public Service Commission shall through its decisions, orders, and
21 regulations attempt to minimize the negative effects of energy company operations on
22 public safety, the economy of the District and its residents, the conservation of natural
23 resources, and environmental quality.

1 (b) The Office of the People’s Counsel shall through its advocacy and outreach
2 efforts attempt to minimize the negative effects of energy company operations on public
3 safety, the economy of the District and its residents, the conservation of natural resources,
4 and environmental quality.

5 Sec. 11. Interconnection.

6 Within 180 days of the effective date of this act, the commission shall issue rules
7 for the interconnection of customer generators compatible with the model rule MR-I2005
8 of the Interstate Renewable Energy council. The Commission shall alter such standards
9 only when it can be shown that their implementation will create a safety or operational
10 hazard to the District’s distribution system as compared to other jurisdictions with similar
11 provisions.

12 Sec. 12. Section 5(a)(3) of the District of Columbia Air Pollution Control Act of
13 1984, effective March 15, 1985 (D.C. Law 5-165; D.C. Official Code § 8-101.05(a)(3)),
14 is amended to read as follows:

15 “(3) May advise, cooperate, and enter into agreements with the governments and
16 agencies of any state or political subdivision and any interstate or other regional agency
17 representing these states or political subdivisions to perform the following:

18 “(A) Establish cooperative effort and mutual assistance for the prevention
19 and control of air pollution and the enforcement of their respective air pollution laws; and

20 “(B) Establish any agency as may be necessary to carry out these
21 agreements.”.

22 Sec. 13. Fiscal impact statement.

1 The Council adopts the fiscal impact statement in the committee report as the
2 fiscal impact statement required by section 602(c)(3) of the District of Columbia Home
3 Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-
4 206.02(c)(3)).

5 Sec. 14. Effective date.

6 This act shall take effect following approval by the Mayor (or in the event of veto
7 by the Mayor, action by the Council to override the veto), a 30-day period of
8 Congressional review as provided in section 602(c)(1) of the District of Columbia Home
9 Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-
10 206.02(c)(1)), and publication in the District of Columbia Register.