## PUBLISHED: 1/27/2025 9:06 PM

## ORIGINAL

Bill Number:HB2376Patron:ZehrBill Title:Electrical generating facilities; capacity factor; report.

**Bill Summary:** Requires the owner of any electrical generating facility in the Commonwealth with a nameplate capacity of at least one megawatt to provide an annual report to the State Corporation Commission, including for each month of the immediately preceding year (i) the amount of electricity produced by such facility and (ii) the capacity factor, as defined in the bill, for such facility. The bill requires the Commission to compile all information reported pursuant to the bill's provisions and to publish an annual report of such compiled information.

Budget Amendment Necessary: No Items Impacted: None

**Explanation:** Not Applicable

**Fiscal Summary:** This bill involves the State Corporation Commission (Commission); however, no budget amendment is needed. Please see the Fiscal Analysis section, below.

General Fund Expenditure Impact: None

Nongeneral Fund Expenditure Impact: None

Position Impact: None

**Fiscal Analysis:** This bill requires the Commission to establish regulations regarding the annual reporting of the capacity factor by facility owners. Implementation of the bill would also require the use of an outside consultant to compile the data and create the report as this work cannot be absorbed with existing Commission Staff responsible for public utility regulation. The estimated cost of the reoccurring consultant work is \$15,000 annually which can be accommodated in the existing appropriation for the Commission. Additionally, the need for a full-time employee may be evaluated if the cumulative workload of this and other related bills were to pass.

The SCC costs to implement the requirements in this bill will impact its Public Utility Fund (02080). The current rate cap authorization (58.1-2900) as approved by the General Assembly (GA) is not sufficient to generate the revenue needed for the Fund to cover the costs of this bill's requirements. However, bills HB2663 and SB1336 have been introduced in the 2025 GA session to adjust electric consumption rate caps to fund SCC existing expenses and potential new expenses from electric utility SCC oversight legislation passed during the 2025 GA Session. The costs associated with HB2376 can be absorbed from the revenue that would result from the passage of HB2663/SB1336.

Other: None