

# CEEP State Legislative Update

## Agenda Item #5

7/25/2012

### District of Columbia

#### **B19-0715 Community Renewables Energy Act of 2012**

- Sponsors: Alexander, Cheh
- Status: Introduced March 6; Hearing June 14
- Action taken: Monitoring
- Enables energy customers who do not own or operate solar panels to subscribe to Community Energy Generating Facilities, thereby receiving credits against their utility bill for a share of the energy produced.
- Community Energy Generating Facilities are defined as renewable electricity generators interconnected at the distribution level that have at least two subscribers and have a generation capacity up to 5 MW. They can be built, owned, and operated by any for-profit, non-profit, or third party entity.
- The bill creates a program to distribute excess credits to low-income households.

#### **B19-0749 Energy Innovation and Savings Amendment Act of 2012**

- Sponsors: Cheh, Graham, Mendelson, Wells
- Status: Introduced April 23; Hearing July 2
- Action taken: Monitoring
- Exempts EV charging stations from public utility regulation.
- Exempts solar systems from personal property tax.
- Requires commercial properties to keep doors and windows closed if running AC.

#### **B19-0756 Sustainable DC Act of 2012**

- Sponsors: Introduced by K. Brown at Mayor's request
- Status: Introduced April 24; Hearing July 2
- Action taken: Monitoring
- Title I – Economy: Makes changes and clarifications to the commercial PACE program; Ensures incentives from Riversmart programs tax-exempt; Funds Energy Star Building Benchmarking Program; Extends Renewable Energy Incentive Program to 2013
- Title II – Environment: Applies restrictions to fertilizer use to protect water bodies; Authorizes beekeeping in the district, under certain guidelines/restrictions
- Title III – Equity: Restricts dry cleaning establishments that use perchloroethylene or n-propyl bromide from being located within 200 feet of a child-occupied facility; Extends Low-Income Weatherization Plus Program to 2013; Extends Heating System Retrofit program to 2013

# Federal Update

## **Federal Housing Finance Agency (FHFA) Proposed Rulemaking on Enterprise Underwriting Standards for PACE**

- Notice of Proposed Rulemaking released June 15
- Deadline for comments September 13
- Action taken: Developing comment letter
  
- Proposed rule continues to restrict PACE programs by prohibiting Fannie Mae and Freddie Mac (the “Enterprises”) from purchasing any mortgage with an existing PACE obligation or consenting to a PACE obligation.
  
- In addition to the proposed rule, FHFA is considering three alternative rules, which define underwriting standards under which the Enterprises may consent to PACE obligations:
  1. Guarantee/Insurance – requires that repayment of the PACE assessment is insured or guaranteed by a qualified insurer or reserve fund.
  2. Protective Standards – applies financial criteria for the PACE borrower, including loan-to-value ratio, debt-to-income ratio, credit score
  3. H.R. 2599 Underwriting Standards – applies underwriting criteria from the PACE Assessment Protection Act of 2011