

Chairman Vincent C. Gray
at the request of the Mayor

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, the Clean and Affordable Energy Act of 2008, to ensure that the highest quality private contractor is selected to develop, coordinate, and provide programs that promote the sustainable use of energy in the District of Columbia; by allowing the Sustainable Energy Utility Advisory Board and the District Department of the Environment discretion in deciding whether to impose a penalty if the Sustainable Energy Utility does not meet certain performance benchmarks; by increasing incentives for the Sustainable Energy Utility to invest in renewable energy generation systems; and by preserving the competitive bidding process for the Sustainable Energy Utility contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Sustainable Energy Utility Emergency Amendment Act of 2010”.

Sec. 2. The Clean and Affordable Energy Act of 2008, effective October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1773.01 *et seq.*), is amended as follows:

(a) Section 202 (D.C. Official Code § 8-1774.02) is amended as follows:

(1) Subsection (c) is amended by striking the phrase “shall also” and inserting the phrase “may also” in its place.

(2) Subsection (d) is amended by striking the word “program” and inserting the phrase “energy efficiency programs” in its place.

(b) Section 204(e) (D.C. Official Code § 8-1774.04(e)) is repealed.

(c) Section 205(d) (D.C. Official Code § 8-1774.05(d)) is repealed.

1 Sec. 3. Fiscal impact statement.

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

5 Sec. 4. Effective date.

6 This act shall take effect following approval by the Mayor (or in the event of veto by the
7 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
8 90 days, as provided for emergency acts of the Council of the District of Columbia in section
9 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
10 D.C. Official Code § 1-204.12(a)).