

Amendment 2 & 3:

Amendment 1 adds definitions of ‘Bundled’ and ‘Unbundled’ renewable energy credits to further clarify the renewable energy requirements established in this board bill. Amendment 2 adds the references to the definitions of ‘Bundled’ and ‘Unbundled’ renewable energy credits.

Amendment 4:

This amendment modifies the renewable energy requirements by reducing the mandatory upon operation percentage, and further modifies the compliance pathways for 100% renewable energy.

Amendment 5:

This amendment clarifies that the environmental engineer must be professionally credentialed and approved by the City of St. Louis.

Amendment 6:

This amendment further strengthens regulations for on-site fuel storage and refueling by requiring the submission of a fuel plan and certain screening requirements.

Amendment 7:

Amending the definition of ‘Maximum Power Demand’ to include that it is measured from a single point of interconnection.

Amendment 8:

Expands the application requirement to include additional acceptable forms of documentation.

**Amendment No. 2 To Board Bill Number 49 Sponsored by Alderwoman Anne Schweitzer
Introduced by Alderwoman Anne Schweitzer**

To amend said Board Bill, Page 4, Line 8 as follows:

To amend said Board Bill, Page 4, Line 8 following the words, “7 a.m.”; insert the following words and figures,

“3. ***Bundled Renewable Energy Credits (RECs)***: Means RECs that a customer received from a renewable generating facility where the attribute is provided with the actual renewable generation from a renewable facility located within the utility service territory, the State of Missouri, or MISO, and retired on behalf of the facility.”

To further amend said Board Bill, Page 6, Line 3 following the words, “Transit Centers.”; insert the following words and figures:

“15. ***Unbundled Renewable Energy Credits (RECs)***: Means RECs that a customer received from a renewable generating facility where the attribute is provided without the accompanying renewable energy generation; however, the attribute must be from a renewable energy generating facility located within the utility service territory, the State of Missouri, or MISO, and retired on behalf of the facility.”

All definitions shall be renumbered in order.

Plain Language: This amendment adds definitions of ‘Bundled’ and ‘Unbundled’ renewable energy credits to further clarify the renewable energy requirements established in this board bill.

**Amendment No. 3 To Board Bill Number 49 Sponsored by Alderwoman Anne Schweitzer
Introduced by Alderwoman Anne Schweitzer**

To amend said Board Bill, Page 3, Line 5 as follows:

Beginning on Page 3, Line 5 following the words, “Local Renewable Energy Credits (RECs);”; insert the following words and figures, “Bundled Renewable Energy Credits (RECs); Unbundled Renewable Energy Credits (RECs);”.

Plain Language: Adds the references to the definitions of ‘Bundled’ and ‘Unbundled’ renewable energy credits.

**Amendment No. 4 To Board Bill Number 49 Sponsored by Alderwoman Anne Schweitzer
Introduced by Alderwoman Anne Schweitzer**

To amend said Board Bill, Page 19, Line 13 as follows:

Beginning on Page 19, Line 13 after the word(s), “Standard and Major Data Centers:”; strike out the following words and figures,

“1. Before an occupancy permit is issued, facilities shall demonstrate their ability to begin operation with a minimum of 50 percent of their anticipated annual electricity use from renewable energy through the electric utility’s renewable energy programs, PSC approved large-load renewable energy programs, clean energy riders, and/or onsite and/or behind-the-meter renewable energy generation and storage, including participation in virtual power plant programs. No more than 50 percent of this requirement may be fulfilled through Local RECS.

2. Facilities shall achieve and maintain 95 percent of annual electricity consumption from renewable energy by the end of its 10th year in operation through the electric utility’s renewable energy programs, PSC-approved large-load renewable energy programs, clean energy riders, and/or onsite renewable energy generation and storage, including participation in virtual power plant programs. Up to 25 percent of this requirement may be fulfilled through Local RECS at any point.

3. For each megawatt-hour of annual electricity consumption by which the facility fails to meet the applicable renewable energy requirement, the facility shall be subject to a noncompliance penalty of 125 percent of the market rate for a bundled, retired REC from the MISO region until the shortfall is cured.”

And in lieu thereof, insert the following words and figures:

“1. Before an occupancy permit is issued, facilities shall demonstrate their ability to begin operation with a minimum of 25 percent of their anticipated annual electricity use from renewable energy through the electric utility’s renewable energy programs, PSC-approved large-load renewable energy programs, clean energy riders, onsite and/or behind-the-meter renewable energy generation and storage, including participation in virtual power plant programs, or retirement of equivalent bundled RECs yearly.

2. Facilities shall achieve and maintain 50 percent of annual electricity consumption from renewable energy by the end of its 5th year in operation through the electric utility’s renewable

energy programs, PSC-approved large-load renewable energy programs, clean energy riders, and/or onsite renewable energy generation and storage, including participation in virtual power plant programs. Only 25 percent of this requirement may be fulfilled through unbundled REC retirement. Facilities must present annual compliance progress reports documenting efforts to build, secure, contract, or otherwise purchase renewable energy and renewable energy credits to comply with this provision. A facility may apply for a one-time, no more than one year waiver with the Board of Public Service to allow for unbundled REC purchases above the 25 percent cap in limited circumstances, in which an unforeseeable event or circumstance has delayed a facility's compliance progression.

3. Facilities shall achieve and maintain 100 percent of annual electricity consumption from renewable energy by the end of its 10th year in operation through the electric utility's renewable energy programs, PSC-approved large-load renewable energy programs, clean energy riders, and/or onsite renewable energy generation and storage, including participation in virtual power plant programs. Up to 25 percent of this requirement may be fulfilled through unbundled RECs.

4. For each megawatt-hour of annual electricity consumption by which the facility fails to meet the applicable renewable energy requirement, a facility failing to meet the 5-year compliance deadline shall be subject to a noncompliance penalty of 125 percent of the average market rate for a bundled, retired REC from the MISO region until the shortfall is cured. For a facility failing to meet the 10-year compliance deadline, the noncompliance penalty shall be 300 percent of the average market rate for a bundled, retired REC from the MISO region until the shortfall is cured."

Plain Language: This amendment modifies the renewable energy requirements by reducing the mandatory upon operation percentage, and further modifies the compliance pathways for 100% renewable energy.

**Amendment No. 5 to Board Bill Number 40 Sponsored by Alderwoman Anne Schweitzer
Introduced by Alderwoman Anne Schweitzer**

To amend said Board Bill, Page 9, Line 12, as follows:

Beginning on Page 9, Line 12, after the words “prepared by a third-party”, strike out the following words and figures: “professional environmental engineer” and insert the following words and figures: “credentialed professional environmental engineer selected by the City of St. Louis”.

Plain Language: This amendment clarifies that the environmental engineer must be professionally credentialed and approved by the City of St. Louis.

**Amendment No. 06 to Board Bill Number 49 Sponsored by Alderwoman Anne Schweitzer
Introduced by Alderwoman Anne Schweitzer**

To amend said Board Bill, Page 7, Line 6 as follows:

Beginning on Page 7, Line 6 after the word(s), “critical infrastructure or equipment”; insert the following words and figures:

“4. The applicant shall submit a fuel delivery and refueling plan demonstrating that all fuel deliveries and refueling activities will occur on the property and not take place in the public right of way.”

All following subsections shall be renumbered in order.

To further amend said Board Bill, Page 14, Line 5 after the word(s), “vibrations.”; strike out the following words and figures, “v. On-site fuel storage shall be visually and physically screened, and set back at least 20 feet from the property line.” and in lieu thereof insert the following words and figures:

“v. On-site fuel storage shall be visually and physically screened behind a masonry wall, and set back at least 30 feet from the property line, and installed on an engineered concrete pad designed with spill containment.”

Plain Language: This amendment further strengthens regulations for on-site fuel storage and refueling by requiring the submission of a fuel plan and certain screening requirements.

**Amendment No. 7 to Board Bill Number 49 Sponsored by Alderwoman Anne Schweitzer
Introduced by Alderwoman Anne Schweitzer**

To amend said Board Bill, Page 5, Line 11 as follows:

Beginning on Page 5, Line 11 after the word(s), “on behalf of the facility.”; strike out the following words and figures, “11. ***Maximum Power Demand:*** Maximum Power Demand means the facility’s highest level of connected electricity load for critical IT and building systems and equipment, as set by a single contract with an electric service provider.”.

And in lieu thereof insert the following words and figures:

“11. ***Maximum Power Demand:*** Maximum Power Demand means the facility’s highest level of connected electricity load, in megawattage, for critical IT and building systems and equipment, via a single point of interconnection with an electric service provider.”

Plain Language: Modifies the definition of ‘Maximum Power Demand’ to include that it is measured from a single point of interconnection.

**Amendment No. 8 to Board Bill Number 40 Sponsored by Alderwoman Anne Schweitzer
Introduced by Alderwoman Anne Schweitzer**

To amend said Board Bill, Page 7, Line 16 as follows:

Beginning Page 7, Line 16 after the word(s), “threshold”; strike out the following words and figures, “8. Whether the applicant has executed an Interconnection Study Agreement, Construction Agreement, and/or Electric Service Agreement with an electric service provider and/or has proof of on-site, connected-to-the-grid or behind-the meter generation that demonstrates how the applicant will meet renewable energy thresholds. If so, the applicant shall provide a copy in their application.”

And in lieu thereof insert the following words and figures:

“8. Whether the applicant has: an executed an Interconnection Study Agreement, Construction Agreement, and/or Electric Service Agreement with an electric service provider; has received a Will Serve letter from an electric service provider; and/or has proof of on-site, connected to the grid generation or behind the meter that demonstrates how the applicant will meet renewable energy thresholds. If so, the applicant shall provide copies in their application.”

Plain Language: Expands the application requirement to include additional acceptable forms of documentation.