RCW 82.96.010 Tax on renewable energy generation or storage—Rates—Administration. ***(Effective until January 1, 2028.)*** (1)(a) For taxpayers granted an exemption under RCW 84.36.680, an excise tax is imposed on the privilege of using qualified renewable energy generating systems used as an electric power source in the state. The rate of the tax is as follows:

(i) $80 per month per megawatt of nameplate capacity of alternating current power for a qualified renewable energy generating system that uses solar energy to generate electricity and that was granted an exemption under RCW 84.36.680 for 10 years;

(ii) $75 per month per megawatt of nameplate capacity of alternating current power for a qualified renewable energy generating system that uses solar energy to generate electricity and that was granted an exemption under RCW 84.36.680 for 15 years;

(iii) $150 per month per megawatt of nameplate capacity of alternating current power for a qualified renewable energy generating system that uses wind energy to generate electricity and that was granted an exemption under RCW 84.36.680 for 10 years;

(iv) $130 per month per megawatt of nameplate capacity of alternating current power for a qualified renewable energy generating system that uses wind energy to generate electricity and that was granted an exemption under RCW 84.36.680 for 15 years.

(b) For taxpayers granted an exemption under RCW 84.36.680, a tax is imposed on the capacity of the renewable energy storage system of a qualified renewable energy generating system.

(i) The rate of the tax is $19 per month per megawatt hour of renewable energy storage capacity for exemptions granted under RCW 84.36.680 for 10 years.

(ii) The rate of the tax is $14 per month per megawatt hour of renewable energy storage capacity for exemptions granted under RCW 84.36.680 for 15 years.

(2) To ensure the rate structures reflect changes in technology, capacity, markets incentives, and inflation, the department may recommend to the legislature changes to the production excise tax rates in subsection (1) of this section to ensure a balance between the value of the exemptions granted pursuant to RCW 84.36.680 and the production excise tax rate imposed pursuant to this section. The goal is to optimize revenues for local communities while maintaining a rate and tax incentive program that is attractive to project developers.

(3) For taxpayers not assessed under chapter 84.12 RCW, the county assessor must provide a list of taxpayers granted an exemption under RCW 84.36.680 for the following year, along with any other information required, to the department by August 1st each year.

(4) A taxpayer applying for an exemption under RCW 84.36.680 for the following year must register with the department prior to submitting an application under RCW 84.36.680. If the application for an exemption under RCW 84.36.680 is granted for any calendar year, payment of the taxes imposed under this section are due.

(5) The taxpayer claiming an exemption under RCW 84.36.680 and paying the production excise tax under this section must file an annual attestation in the manner and form prescribed by the department.

(6) The definitions in this subsection apply throughout this section unless the context clearly indicates otherwise.

(a) "Qualified renewable energy generating system" means a set of devices whose primary purpose is to produce electricity by means of

any combination of collecting, transferring, or converting renewable energy and that is receiving an exemption under RCW 84.36.680.

(b) "Renewable energy" means energy produced by a solar or wind facility with nameplate capacity sufficient to generate at least 10 megawatts of nameplate capacity of alternating current power.

(c) "Renewable energy storage capacity" means the battery storage capacity per megawatt hour.

(d) "Renewable energy storage system" means battery storage or battery energy storage system that can store renewable energy when production exceeds demand and release energy when energy demand increases. [2023 c 427 s 2.]

Tax preference performance statement exemption—Automatic expiration date exemption—Application—2023 c 427: See notes following RCW 84.36.680.