

SB 109 - AS AMENDED BY THE SENATE

04/01/2021 0970s

2021 SESSION

21-0947

10/06

SENATE BILL **109**

AN ACT relative to municipal host customer generators serving political subdivisions.

SPONSORS: Sen. Avar, Dist 12; Sen. Bradley, Dist 3; Sen. Giuda, Dist 2; Rep. Lang, Belk. 4

COMMITTEE: Energy and Natural Resources

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ANALYSIS

This bill establishes an exemption under net energy metering for group net metered facilities that generate electricity to offset electrical requirements of a group consisting of political subdivisions.

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Explanation: Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears ~~[in brackets and struckthrough]~~  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

## STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty One*

AN ACT relative to municipal host customer generators serving political subdivisions.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1       1 Eligible Customer Generator; Exception Added for Municipal Hosts. Amend RSA 362-A:1-a,  
2 II-b through II-d to read as follows:

3       II-b. "Eligible customer-generator" or "customer-generator" means an electric utility  
4 customer who owns, operates, or purchases power from an electrical generating facility either  
5 powered by renewable energy or which employs a heat led combined heat and power system, with a  
6 total peak generating capacity of up to and including one megawatt, ***except as provided for a***  
7 ***municipal host as defined in paragraph II-c***, that is located behind a retail meter on the  
8 customer's premises, is interconnected and operates in parallel with the electric grid, and is used to  
9 offset the customer's own electricity requirements. Incremental generation added to an existing  
10 generation facility, that does not itself qualify for net metering, shall qualify if such incremental  
11 generation meets the qualifications of this paragraph and is metered separately from the  
12 nonqualifying facility.

13       II-c. ***"Municipal host" means a customer generator with a total peak generating***  
14 ***capacity of greater than one megawatt and less than 5 megawatts used to offset the***  
15 ***electricity requirements of a group consisting exclusively of one or more customers who are***  
16 ***political subdivisions, provided that all customers are located within the same utility***  
17 ***franchise service territory. A municipal host shall be located in the same municipality as***  
18 ***all group members if the facility began operation after January 1, 2021. A municipal host***  
19 ***may be owned by either a public or private entity. For this definition, "political***  
20 ***subdivision" means any city, town, county, school district, chartered public school, village***  
21 ***district, school administrative unit, or any district or entity created for a special purpose***  
22 ***administered or funded by any of the above-named governmental units.***

23       ***II-d.*** "Eligible fuel" means natural gas, propane, wood pellets, hydrogen, or heating oil when  
24 combusted with a burner, including air emission standards for the device using the approved fuel.

25       ~~II-d~~ ***II-e.*** "Heat led" means that the combined heat and power system is operated in a  
26 manner to satisfy the heat usage needs of the customer-generator.

27       2 Effective Date. This act shall take effect upon its passage.