SENATE BILL 98

AN ACT authorizing group net metering for limited electrical energy producers.


COMMITTEE: Energy and Natural Resources

AMENDED ANALYSIS

This bill:

I. Modifies the definition of customer-generator as it relates to net energy metering.

II. Permits a customer-generator to become a group host to control the energy costs of certain customers.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.
AN ACT authorizing group net metering for limited electrical energy producers.

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

266:1 Limited Electrical Energy Producers; Definitions. Amend RSA 362-A:1-a, II-b to read as follows:

II-b. "Eligible customer-generator" or "customer-generator" means an electric utility customer who owns or operates an electrical generating facility either powered by renewable energy or which employs a heat led combined heat and power system, with a total peak generating capacity of [not more than 100 kilowatts, or that first begins operation after July 1, 2010 and has a total peak generating capacity of 100 kilowatts or more up to and including] one megawatt, that is located behind a retail meter on the customer's premises, is interconnected and operates in parallel with the electric grid, and is used [in the first instance] to offset the customer's own electricity requirements.

Incremental generation added to an existing generation facility, that does not itself qualify for net metering, shall qualify if such incremental generation meets the qualifications of this paragraph and is metered separately from the nonqualifying facility.

266:2 New Paragraph; Net Energy Metering. Amend RSA 362-A:9 by inserting after paragraph XIII the following new paragraph:

XIV.(a) A customer-generator may elect to become a group host for the purpose of reducing or otherwise controlling the energy costs of a group of customers who are not customer-generators. The group of customers shall be default service customers of the same electric distribution utility as the host. The host shall provide a list of the group members to the commission and the electric distribution utility and shall certify that all members of the group have executed an agreement with the host regarding the utilization of kilowatt hours produced by the eligible facility and that the total historic annual load of the group members together with the host exceeds the projected annual output of the host's facility. The commission shall verify that these group requirements have been met and shall register the group host. The commission shall establish the process for registering hosts, including periodic re-registration, and the process by which changes in membership are allowed and administered.

(b) Except as provided in subparagraph (c), the provisions of this section shall apply to a group host as a customer-generator.
(c) Notwithstanding paragraph V, a group host shall be paid for its surplus generation at the end of each billing cycle at rates consistent with the credit the group host receives relative to its own net metering under either subparagraph IV(a) or (b). On an annual basis, the electric distribution utility shall calculate a payment adjustment if the host’s surplus generation for which it was paid is greater than the group’s total electricity usage during the same time period. The adjustment shall be such that the resulting compensation to the host for the amount that exceeded the group’s total usage shall be at the utility’s avoided cost or its default service rate in accordance with subparagraph V(b) or paragraph VI. The utility shall pay or bill the host accordingly.

(d) Group hosts shall be responsible for any costs necessary to upgrade a utility’s information systems in order to implement this paragraph, as determined by the commission.

(e) The commission is authorized to assess fines against, revoke the registration of, and prohibit from doing business in the state, any group host which violates the requirements of this paragraph and rules adopted pursuant to this paragraph.

266:3 Renewable Energy Fund. Amend RSA 362-F:10, IV to read as follows:

IV. The commission shall make an annual report by October 1 of each year, beginning in 2009, to the legislative oversight committee on electric utility restructuring established under RSA 374-F:5, the house science, technology and energy committee, and the senate energy and natural resources committee detailing how the renewable energy fund is being used and any recommended changes to such use. The report shall also include information on the total peak generating capacity that is net energy metered under RSA 362-A:9 within the franchise area of each electric distribution utility, and the percentage this represents of the amount that is allowed to be net metered within each franchise area. Information shall be provided on net metered group host registrations and the associated customer groups, including number and location of group host facilities, generation by renewable source and size of facility, and group load served by such facilities.

266:4 Effective Date. This act shall take effect upon its passage.

Approved: July 24, 2013

Effective Date: July 24, 2013