

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
89th General Assembly
Regular Session, 2013

As Engrossed: H4/5/13
A Bill

HOUSE BILL 1456

By: Representative S. Meeks

For An Act To Be Entitled

AN ACT TO REQUIRE UTILITIES TO COMPENSATE NET-METERING CUSTOMERS FOR NET EXCESS GENERATION CREDITS IN CERTAIN CIRCUMSTANCES; TO MAKE TECHNICAL CORRECTIONS; AND FOR OTHER PURPOSES.

Subtitle

TO REQUIRE UTILITIES TO COMPENSATE NET-METERING CUSTOMERS FOR NET EXCESS GENERATION CREDITS IN CERTAIN CIRCUMSTANCES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 23-18-604 is amended to read as follows:

(a) An electric utility shall allow net-metering facilities to be interconnected using a standard meter capable of registering the flow of electricity in two (2) directions.

(b) Following notice and opportunity for public comment, the Arkansas Public Service Commission:

(1) Shall establish appropriate rates, terms, and conditions for net-metering contracts, including a requirement that ~~metering net-metering~~ equipment be installed to ~~both~~ accurately measure the electricity ~~supplied;~~

(A) Supplied by the electric utility to each net-metering customer; and ~~also to accurately measure the electricity generated~~

(B) Generated by each net-metering customer that is fed back to the electric utility over the applicable billing period;

(2) May authorize an electric utility to assess a net-metering



customer a greater fee or charge of any type, if the electric utility's direct costs of interconnection and administration of net metering outweigh the distribution system, environmental, and public policy benefits of allocating the costs among the electric utility's entire customer base;

(3) Shall require electric utilities to credit a net-metering customer with any accumulated net excess generation in the next applicable billing period;

(4) May expand the scope of net metering to include additional facilities that do not use a renewable energy resource for a fuel ~~or may increase the peak limits for individual net metering facilities~~, if so doing results in ~~desirable~~ distribution system, environmental, or public policy benefits;

(5) May increase the peak limits for individual net-metering facilities, if doing so results in distribution system, environmental, or public policy benefits; and

~~(5)~~ (6) Shall provide that:

(A) ~~Any~~ The electric utility shall purchase at the electric utility's avoided costs of wholesale power minus a transmission fee not exceeding ten percent (10%) any net excess generation credit remaining in a net-metering customer's account at:

(i)(a) At the close of an annual billing cycle shall expire net excess generation accumulation period for net metering, which is from May 1 through April 30.

(b) However, if the total amount of the purchase price to be paid under subdivision (b)(6)(A)(i)(a) of this section is less than one hundred dollars (\$100), the electric utility may credit the net-metering customer's account for the purchase price rather than purchasing the net excess generation credits; and

(ii) When the net-metering customer:

(a) Ceases to be a customer of the electric utility;

(b) Ceases to operate the net-metering facility; or

(c) Transfers the net-metering facility to another person; and

(B) ~~Any~~ A renewable energy credit created as the result of

electricity supplied by a net-metering customer is the property of the net-metering customer that generated the renewable credit.

(c)(1) As used in this section, "avoided costs" means the same as defined in § 23-3-702.

(2) Avoided costs shall be determined under § 23-3-704.

(d)(1) Except as provided in subdivision (d)(2) of this section, an electric utility shall separately meter, bill, and credit each net-metering facility even if one (1) or more net-metering facilities are under common ownership.

(2) At the electric utility's discretion, an electric utility may apply net-metering credits from a net-metering facility to the bill for another meter location if the net-metering facility and the separate meter location are under common ownership.

/s/S. Meeks