

HB 106 106 - AS INTRODUCED

2021 SESSION

21-0046

10/06

HOUSE BILL

106

AN ACT establishing procedures for municipal host customer-generators of electrical energy.

SPONSORS: Rep. Lang, Belk. 4; Rep. Pearl, Merr. 26; Rep. Aron, Sull. 7; Rep. M. Moffett, Merr. 9; Rep. Love, Rock. 6; Rep. Deshaies, Carr. 6; Rep. Trottier, Belk. 6; Rep. McGhee, Hills. 27; Sen. Bradley, Dist 3; Sen. Giuda, Dist 2; Sen. Hennessey, Dist 1

COMMITTEE: Science, Technology and Energy

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.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 establishing procedures for municipal host customer-generators of electrical energy.

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 and a low-moderate income community solar project as defined in RSA 362-***
8 ***F:2, X-a***, that is located behind a retail meter on the customer's premises, is interconnected and
9 operates in parallel with the electric grid, and is used to offset the customer's own electricity
10 requirements. Incremental generation added to an existing generation facility, that does not itself
11 qualify for net metering, shall qualify if such incremental generation meets the qualifications of this
12 paragraph and is metered separately from the nonqualifying facility.

13 II-c. ***"Municipal host" means a customer-generator with a total peak generating***
14 ***capacity of greater than one megawatt used to offset the electricity requirements of a group***
15 ***consisting of one or more customers who are political subdivisions, provided that all***
16 ***customers are located within the same utility franchise service territory. A municipal host***
17 ***shall be located in the same municipality as all group members if the facility began***
18 ***operation after January 1, 2020. A municipal host may be owned by either a public or***
19 ***private entity. In this paragraph, "political subdivision" means any city, town, county,***
20 ***school district, chartered public school, village district, school administrative unit, or any***
21 ***district or entity created for a special purpose administered or funded by any of the above***
22 ***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 New Paragraphs; Limited Electrical Energy Producers Act; Net Energy Metering. Amend
28 RSA 362-A:9 by inserting after paragraph XVIII the following new paragraphs:

29 XVIII-a. A hydroelectric generator with a total peak generating capacity that is at or below
30 the capacity eligibility requirements set forth in RSA 362-A:1-a, II-b and that first became

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1 operational before July 1, 2021 and shares equipment or facilities with another generator or electric
2 utility customer for interconnection to the electric grid, shall be eligible to participate in net energy
3 metering as a customer-generator even if the aggregate capacity of the generators sharing
4 equipment or facilities for interconnection to the electric grid exceeds the capacity eligibility
5 requirements set forth in RSA 362-A:1-a, II-b. Such customer generator shall be eligible to
6 participate in net energy metering as a customer-generator in a manner consistent with all other
7 hydroelectric customer-generators of the same total peak generating capacity.

8 XVIII-b. Any provisions of settlement agreements or orders that have been approved or
9 issued by the commission that relate to a distribution utility's treatment of the output from
10 qualifying facilities or independent power producers shall not apply to the output from an eligible
11 customer-generator participating in net metering.

12 3 Effective Date. This act shall take effect 60 days after its passage.