

HB 225 - AS INTRODUCED

2021 SESSION

21-0213

10/06

HOUSE BILL **225**

AN ACT relative to the calculation of net energy metering payments or credits.

SPONSORS: Rep. Plett, Hills. 6

COMMITTEE: Science, Technology and Energy

ANALYSIS

This bill changes the methods of calculating and paying for the energy net metered by a customer-generator to an electric distribution utility each billing period.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 the calculation of net energy metering payments or credits.

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

1 1 Definition; Eligible Customer Generator. Amend RSA 362-A:1-a, II-b to read as follows:

2 II-b. "Eligible customer-generator" or "customer-generator" means an electric utility
3 customer who owns, operates, or purchases power from an electrical generating facility either
4 powered by renewable energy or which employs a heat led combined heat and power system, with a
5 total peak generating capacity of up to and including [~~one megawatt~~] **2 megawatts**, that is located
6 behind a retail meter on the customer's premises, is interconnected and operates in parallel with the
7 electric grid, and is used to offset the customer's own electricity requirements. Incremental
8 generation added to an existing generation facility, that does not itself qualify for net metering, shall
9 qualify if such incremental generation meets the qualifications of this paragraph and is metered
10 separately from the nonqualifying facility.

11 2 Net Energy Metering; Calculation of Payment or Credit. Amend RSA 362-A:9, IV-VI to read
12 as follows:

13 IV.(a) For facilities with a total peak generating capacity of not more than 100 kilowatts,
14 when billing a customer-generator under a net energy metering tariff that is not time-based, the
15 utility shall apply the customer's net energy usage when calculating all charges that are based on
16 kilowatt hour usage. Customer net energy usage shall equal the kilowatt hours supplied to the
17 customer over the electric distribution system minus the kilowatt hours generated by the customer-
18 generator and fed into the electric distribution system over a billing period.

19 (b) For facilities with a total peak generating capacity of more than 100 kilowatts, the
20 customer-generator shall pay all applicable charges on all kilowatt hours supplied to the customer
21 over the electric distribution system, less a credit [~~on default service charges~~] equal to the metered
22 **kilowatt-hours of** energy generated by the customer-generator and fed into the electric distribution
23 system over a billing period **multiplied by the average monthly locational marginal price as**
24 **determined by ISO-New England for the New Hampshire load zone for the month in which**
25 **the energy is generated.**

26 V. When a customer-generator's net energy usage is negative (more electricity is fed into the
27 distribution system than is received) over a billing period, such surplus shall [~~either:~~

28 ~~_____ (a) Be credited to the customer-generator's account on an equivalent basis for use in~~
29 ~~subsequent billing cycles as a credit against the customer's net energy usage or bill in a manner~~
30 ~~consistent with either subparagraph IV(a) or IV(b), as applicable; or _____~~

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1 ~~_____ (b)~~, except as provided in paragraph VI, ~~[the customer-generator may elect to]~~ be paid or
2 credited by the electric distribution utility ~~[for its excess generation at rates that are equal to the~~
3 ~~utility's avoided costs for energy and capacity to provide default service as determined by the~~
4 ~~commission consistent with the requirements of the Public Utilities Regulatory Policy Act of 1978~~
5 ~~(PURPA). The commission shall determine reasonable conditions for such an election, including the~~
6 ~~frequency of payment and how often a customer-generator may choose this option versus the option~~
7 ~~in subparagraph (a)]~~ **by means of a monetary credit applied to the bill of the customer-**
8 **generator.**

9 VI. Instead of the ~~[option]~~ **monetary credit** in ~~[subparagraph V(b)]~~ **paragraph V**, an
10 electric distribution utility providing default service to customer-generators may voluntarily elect,
11 annually, on a generic basis, by notification to the commission, to purchase or credit such excess
12 generation from customer-generators at a rate that is equal to the generation supply component of
13 the applicable default service rate, provided that payment is issued at least as often as whenever the
14 value of such credit, in excess of amounts owed by the customer-generator, is greater than \$50.

15 3 Commission Rules; Review. Amend RSA 362-A:9, X to read as follows:

16 X. The commission shall adopt rules, pursuant to RSA 541-A, to:

17 (a) Establish reasonable interconnection requirements for safety, reliability, and power
18 quality as it determines the public interest requires. Such rules shall not exceed applicable test
19 standards of the American National Standards Institute (ANSI) or Underwriters Laboratory (UL);
20 ~~[and]~~

21 (b) **Require periodic review, not less frequently than every 2 years, of net**
22 **metering compensation rates to determine if costs are being shifted from customer-**
23 **generators to non-customer-generators and to adjust such compensation rates to reduce or**
24 **eliminate any shift determined through such review; and**

25 (c) Implement the provisions of this section.

26 4 Effective Date. This act shall take effect 60 days after its passage.