

1 **ENGROSSED**

2 **H. B. 2201**

3 [By Delegates Ireland, Folk, Manchin, Lynch, Rowe, Fleischauer,
4 Skinner, Fast, Fluharty, Byrd, Summers]

5 [Introduced January 20, 2015; originating in
6 the Committee on the Judiciary]

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11 A BILL to amend and reenact §24-2F-8 of the Code of West Virginia, 1931, as amended, all
12 relating to providing a definition for net metering, requiring the Public Service
13 Commission to adopt certain net metering and interconnection rules and standards, and
14 striking deadlines for rule-making by the Public Service Commission.

15 *Be it enacted by the Legislature of West Virginia:*

16 That §24-2F-8 of the Code of West Virginia, 1931, as amended, be amended and
17 reenacted to read as follows:

18 **ARTICLE 2F.NET METERING OF CUSTOMER-GENERATORS.**

19 **§24-2F-8. Net metering and interconnection standards.**

20 (a) "Net metering" means measuring the difference between electricity supplied by an
21 electric utility and electricity generated from a facility owned and operated by an electric retail
22 customer when any portion of the electricity generated from the facility is used to offset part or

1 all of the electric retail customer's requirements for electricity. *Provided*, That this section shall
2 not preclude an educational or religious organization customer-generator, that either owns or
3 operates its own facility, from utilizing a net metering system in this state.

4 **(b)** The commission shall adopt a rule requiring that all electric utilities provide a rebate
5 or discount at fair value, to be determined by the commission, to customer-generators for any
6 electricity generation that is delivered to the utility under a net metering arrangement. The
7 commission shall assure that any net metering tariff does not create a cross-subsidization
8 between customers within one class of service.

9 ~~(b)~~ **(c)** The commission shall also consider adopting, by rule, a requirement that all
10 sellers of electricity to retail customers in the state, including rural electric cooperatives,
11 municipally owned electric facilities or utilities serving less than thirty thousand residential
12 electric customers in this state, offer net metering rebates or discounts to customer-generators.

13 ~~(c)~~ **(d)** The commission shall institute a general investigation for the purpose of adopting
14 rules pertaining to net metering and the interconnection of eligible electric generating facilities
15 intended to operate in parallel with an electric utility's system. As part of its investigation, the
16 commission shall take into consideration rules of other states within the applicable region of the
17 regional transmission organization, as that term is defined in 18 C.F.R. §35.34, that manages a
18 utility's transmission system in any part of this state. Furthermore, the commission shall
19 consider increasing the allowed kilowatt capacity for commercial customer-generators to an
20 amount not to exceed five hundred kilowatts and for industrial customer-generators to an amount

1 not to exceed two megawatts. The commission shall further consider interconnection standards
2 for combined heat and power.

3 ~~(d) The commission shall promulgate these rules within twelve months of the effective~~
4 ~~date of this article.~~

5 (e) The commission shall adopt a rule requiring compliance with the National Electrical
6 Code and the Institute of the Electrical and Electronics Engineers (IEEE), and the same shall be
7 amended, standards at all times, including having a disconnect readily accessible to the utility
8 between the facilities of the customer generator and the electric utility.

NOTE: The purpose of this bill is amend and add language to West Virginia Code §24-2F-8 all relating to providing a definition for net metering, requiring the Public Service Commission to adopt certain net metering and interconnection rules and standards, and striking deadlines for rule-making by the Public Service Commission.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.