

H. B. 2982

(By Delegate Skinner)

[Introduced February 24, 2015; referred to the
Committee on Energy then the Judiciary.]

A BILL to amend and reenact §24-2F-8 of the Code of West Virginia, 1931, as amended, relating to net metering; defining net metering; defining customer-generator; requiring the Public Service Commission adopt certain net metering and interconnection rules and standards; striking deadlines for rulemaking by the Public Service Commission; and capping the amount of generating capacity subject to net metering.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 2F. ALTERNATIVE AND RENEWABLE ENERGY PORTFOLIO STANDARD.

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

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

1 of the electric retail customer's requirements for electricity.

2 (b) "Customer-generator" means an electric retail customer who owns or leases and operates
3 a customer-sited generation projected utilizing an alternative or renewable energy resource or a net
4 metering system in this state.

5 (c) "Commission" means the Public Service Commission of West Virginia as constituted
6 pursuant to section three, article one of this chapter.

7 ~~(a)~~ (d) The commission shall adopt a rule requiring that all electric utilities provide a rebate
8 or discount at fair value, to be determined by the commission, to customer-generators for any
9 electricity generation that is delivered to the utility under a net metering arrangement.

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

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

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

3 (g) An electric utility shall offer net metering to a customer-generator that generates
4 electricity on the customer-generator side of the meter using alternative or renewable energy sources,
5 on a first-come, first-served basis, based on the date of application for interconnection as provided
6 in the rules promulgated by the commission and pursuant to a standard tariff. An electric utility may
7 offer net metering to customer-generators, on a first-come, first-served basis, so long as the total
8 generation capacity installed by all customer-generators is no greater than three percent (3%) of the
9 electric utility aggregate customer peak demand in the state during the previous year, of which no
10 less than one-half percent is reserved for residential customer-generators.

11 (h) The commission shall adopt a rule requiring compliance with the Institute of the
12 Electrical and Electronics Engineers, and as the same shall be amended, standards at all times,
13 including having a disconnect readily accessible to the utility between the facilities of the customer-
14 generator and the electric utility.

NOTE: The purpose of this bill is to provide definitions relating to net metering net metering and customer-generator. It requires the Public Service Commission to adopt certain net metering and interconnection rules and standards. It also strikes deadlines for rulemaking by the Public Service Commission and caps the amount of generating capacity subject to net metering.

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