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Legislative Document

No. 1146

H.P. 811

House of Representatives, March 21, 2013

An Act To Encourage the Use of Renewable Energy

Reference to the Committee on Energy, Utilities and Technology suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative DORNEY of Norridgewock.
Cosponsored by Senator BOYLE of Cumberland and
Representatives: CHAPMAN of Brooksville, DEVIN of Newcastle, GATTINE of Westbrook,
MAKER of Calais, McELWEE of Caribou.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 35-A MRSA §3209-A**, as enacted by PL 2011, c. 262, §1, is repealed and
3 the following enacted in its place:

4 **§3209-A. Net energy billing**

5 This section governs net energy billing.

6 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
7 following terms have the following meanings.

8 A. "Credit" means the amount of kilowatt-hours generated by an eligible facility
9 associated with a customer's account, as determined by rule by the commission, that
10 is in excess of the amount of kilowatt-hours used by that customer within any given
11 billing period.

12 B. "Eligible facility" means an electricity generating facility with a generating
13 capacity of up to 2 megawatts that is eligible, as defined by commission by rule, to
14 generate electricity to be used for net energy billing.

15 C. "Net energy" means the difference between the kilowatt-hours consumed by a
16 customer and the kilowatt-hours generated by an eligible facility associated with a
17 customer's account, as determined by rule by the commission.

18 D. "Net energy billing" means a billing and metering practice under which a
19 customer is billed on the basis of net energy over the billing period taking into
20 account accumulated credits from the previous billing period.

21 **2. Net energy billing; no limit.** A customer need not own the relevant eligible
22 facility or have legal rights to the energy generated by the eligible facility in order to elect
23 net energy billing. A customer may have any number of meters net metered against an
24 eligible facility.

25 **3. Credits.** A customer's accumulated unused credits do not expire. A customer
26 may sell accumulated unused credits the customer has earned to another customer of the
27 same transmission and distribution utility if the customers are in the same service
28 territory.

29 **4. Rulemaking.** The commission shall adopt rules to implement this section. Rules
30 adopted under this subsection are routine technical rules as defined in Title 5, chapter
31 375, subchapter 2-A.

32 **SUMMARY**

33 This bill adds specific requirements for the Public Utilities Commission regarding net
34 energy billing. The requirements specify that net energy billing credits do not expire, that
35 the credits are transferable, that there is no ownership requirement to qualify for net
36 energy billing, that there is no limit on the number of meters that may be net metered

1 against an eligible facility and that eligible facilities may have a generating capacity of up
2 to 2 megawatts.