

§3209-F. Net energy billing project charge for certain distributed generation projects

1. Net energy billing project charge defined. As used in this section, "net energy billing project charge" means a monthly fee determined by the commission by rule in accordance with this section that a transmission and distribution utility must use to offset distribution costs associated with net energy billing arrangements under sections 3209-A and 3209-B that would otherwise be paid by ratepayers, as determined by the commission.

[PL 2025, c. 430, §9 (NEW).]

2. Net energy billing project charge; applicability. Except as provided in subsection 5, the commission shall require a transmission and distribution utility to assess each distributed generation resource participating in net energy billing with a shared financial interest customer in accordance with section 3209-A, subsection 3. The commission shall adopt rules to determine the net energy billing project charges applicable to distributed generation resources described in subsection 3 and establish a process by which a transmission and distribution utility must apply net energy billing project charges against costs associated with net energy billing.

[PL 2025, c. 430, §9 (NEW).]

3. Initial net energy billing project charge. Beginning January 1, 2026, the initial monthly net energy billing project charge established by the commission must be:

A. For a distributed generation resource with a nameplate capacity of 3 megawatts or more and less than 5 megawatts, \$6.00 multiplied by the nameplate capacity of the distributed generation resource in kilowatts; [PL 2025, c. 430, §9 (NEW).]

B. For a distributed generation resource with a nameplate capacity of one megawatt or more and less than 3 megawatts, \$2.80 multiplied by the nameplate capacity of the distributed generation resource in kilowatts; and [PL 2025, c. 430, §9 (NEW).]

C. For a distributed generation resource with a nameplate capacity of less than one megawatt, zero. [PL 2025, c. 430, §9 (NEW).]

[PL 2025, c. 430, §9 (NEW).]

4. Adjustment of net energy billing project charge; compensation. The commission shall periodically by rule increase the initial net energy billing project charge to account for increases in transmission and distribution rates. Compensation to a distributed generation resource related to transmission and distribution rate credits may not increase by more than 2.25% per year.

[PL 2025, c. 430, §9 (NEW).]

5. Exceptions. A distributed generation resource is exempt from the net energy billing project charge established in this section if the distributed generation resource demonstrates in a manner satisfactory to the commission that the distributed generation resource is:

A. Wholly owned by the customer or customers receiving the net energy billing credits associated with the output of the distributed generation resource; or [PL 2025, c. 430, §9 (NEW).]

B. Wholly owned by a cooperative corporation organized under Title 13, chapter 85. [PL 2025, c. 430, §9 (NEW).]

[PL 2025, c. 430, §9 (NEW).]

6. Rules. The commission shall adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

[PL 2025, c. 430, §9 (NEW).]

REVISOR'S NOTE: §3209-F. Net Energy Billing Cost Stabilization Fund (As enacted by PL 2025, c. 532, §1 is REALLOCATED TO TITLE 35-A, SECTION 3209-J)

SECTION HISTORY

PL 2025, c. 430, §9 (NEW).

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