

1 State of Arkansas  
2 90th General Assembly  
3 Regular Session, 2015  
4

*As Engrossed: S3/17/15*  
**A Bill**

SENATE BILL 592

5 By: Senator D. Johnson  
6 By: Representative Tucker  
7

**For An Act To Be Entitled**

9 AN ACT TO AMEND THE LAWS CONCERNING NET METERING; TO  
10 ALLOW COMMUNITY NET METERING; AND FOR OTHER PURPOSES.  
11

**Subtitle**

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14 TO AMEND THE LAWS CONCERNING NET  
15 METERING; AND TO ALLOW COMMUNITY NET  
16 METERING.  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. Arkansas Code § 23-18-603 is amended to read as follows:  
22 23-18-603. Definitions.

23 As used in this subchapter:

24 (1) "Commission" means the Arkansas Public Service Commission or  
25 other appropriate governing body for an electric utility ~~as defined in~~  
26 ~~subdivision (2) of this section;~~

27 (2) "Community" means a geographic area within a *city of the*  
28 *first class, city of the second class, or unincorporated town that:*

29 (A) Is recognized by the residents of the area as  
30 including a unique community of interests;

31 (B) Falls within the service territory of a single  
32 electric utility and within a single load zone; and

33 (C) May encompass residential, commercial, and undeveloped  
34 properties;

35 (3) "Community net-metering facility" means a net-metering  
36 facility that:



1 (A) Is owned by or serves the energy needs of two (2) or  
2 more net-metering customers that reside in a single community and are served  
3 by a single electric utility;

4 (B) May be owned by or serve the needs of other customers  
5 that reside in the same community and are served by the same electric utility  
6 as the net-metering customers that own or are served by the net-metering  
7 facility; and

8 (C) Is located within the same community as the customers  
9 that own or are served by the net-metering facility;

10 ~~(2)~~ (4) "Electric utility" means a public or investor-owned  
11 utility, an electric cooperative, a municipal utility, or ~~any~~ a private power  
12 supplier or marketer that is engaged in the business of supplying electric  
13 energy to the ultimate consumer or any customer classes within the state;

14 ~~(3)~~ (5) "Net excess generation" means the amount of electricity  
15 that a net-metering customer has fed back to the electric utility that  
16 exceeds the amount of electricity used by that customer during the applicable  
17 period;

18 ~~(4)~~ (6) "Net metering" means measuring the difference between  
19 electricity supplied by an electric utility and the electricity generated by  
20 a net-metering customer and fed back to the electric utility over the  
21 applicable billing period;

22 ~~(5)~~ (7) "Net-metering customer" means ~~an~~ an:

23 (A) An owner or user of a net-metering facility; and

24 (B) Collectively, the owners and customers served by a  
25 community net-metering facility;

26 ~~(6)~~ (8) "Net-metering facility" means a facility for the  
27 production of electrical energy that:

28 (A) Uses solar, wind, hydroelectric, geothermal, or  
29 biomass resources to generate electricity, including, ~~but not limited to,~~  
30 without limitation fuel cells and micro turbines that generate electricity if  
31 the fuel source is entirely derived from renewable resources;

32 (B) Has a generating capacity of not more than ~~twenty-five~~  
33 ~~kilowatts (25 kW) for residential use or three hundred kilowatts (300 kW)~~  
34 ~~for any other use~~ one hundred twenty percent (120%) of the net-metering  
35 customer's requirements for electricity;

36 (C) Is located in Arkansas;

1 (D) Can operate in parallel with an electric utility's  
2 existing transmission and distribution facilities; and

3 (E) Is intended primarily to offset part or all of the  
4 net-metering customer requirements for electricity; and

5 ~~(7)~~ (9) "Renewable energy credit" means the environmental,  
6 economic, and social attributes of a unit of electricity, such as a megawatt  
7 hour, generated from renewable fuels that can be sold or traded separately.

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9 SECTION 2. Arkansas Code § 23-18-604(a), concerning the authority of  
10 the Arkansas Public Service Commission as it relates to net metering, is  
11 amended to read as follows:

12 (a) An electric utility shall allow ~~net-metering facilities~~ a net-  
13 metering facility or community net-metering facility to be interconnected  
14 using a standard meter capable of registering the flow of electricity in two  
15 (2) directions.

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17 SECTION 3. Arkansas Code § 23-18-604(b)(5), concerning the authority  
18 of the Arkansas Public Service Commission as it relates to net metering, is  
19 amended to read as follows:

20 (5) May increase the peak limits for an individual net-metering  
21 ~~facilities~~ facility or community net-metering facility if doing so results in  
22 distribution system, environmental, or public policy benefits; and

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24 /s/D. Johnson  
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