

Hall of the House of Representatives
90th General Assembly - Regular Session, 2015
Amendment Form

Subtitle of House Bill No. 1004

TO REQUIRE ELECTRIC UTILITIES TO COMPENSATE NET-METERING CUSTOMERS FOR NET EXCESS
GENERATION CREDITS IN CERTAIN CIRCUMSTANCES.

Amendment No. 1 to House Bill No. 1004

Amend House Bill No. 1004 as originally introduced:

Immediately following the enacting clause, add an additional section to read as follows:

"SECTION 1. Arkansas Code § 23-18-603(6), concerning a definition used under the Arkansas Renewable Energy Development Act of 2001, is amended to read as follows:

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

(A) Uses solar, wind, hydroelectric, geothermal, or biomass resources to generate electricity, including, but not limited to, fuel cells and micro turbines that generate electricity if the fuel source is entirely derived from renewable resources;

(B) Has a generating capacity of not more than:
(i) The greater of twenty-five kilowatts (25 kW) or one hundred percent (100%) of the net-metering customer's usage for residential use; or three

(ii) Three hundred kilowatts (300 kW) for any other use unless otherwise allowed by the Arkansas Public Service Commission;

(C) Is located in Arkansas;

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

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

AND

Page 1, delete lines 23 through 36, and substitute the following:

"SECTION 2. Arkansas Code § 23-18-604(b)(5) and (6), concerning the authority of the Arkansas Public Service Commission, are amended to read as follows:

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



(6) Shall provide that:

(A)(i) The net excess generation credit remaining in a net-metering customer's account at the close of an annual billing cycle, up to an amount equal to four (4) months' average usage during the annual billing cycle that is closing, shall be credited to the net-metering customer's account for use during the next annual billing cycle; shall not expire and shall be carried forward to subsequent billing cycles indefinitely.

(ii) However, for net excess generation credits older than twenty-four (24) months, a net-metering customer may elect to have the electric utility purchase the net excess generation credits in the net-metering customer's account at the electric utility's avoided costs of wholesale power at the time of the request if the sum to be paid to the net-metering customer is at least one hundred dollars (\$100).

(iii) An electric utility shall purchase at the electric utility's avoided costs of wholesale power any net excess generation credit remaining in a net-metering customer's account when the net-metering customer:"

AND

Page 2, delete lines 1 through 3

AND

Page 2, delete line 15, and substitute the following:

"the net-metering customer that generated the renewable energy credit; and

SECTION 3. Arkansas Code § 23-18-604(b), concerning the authority of the Arkansas Public Service Commission, is amended to add an additional subdivision to read as follows:

(7) May allow a net-metering facility with a generating capacity that exceeds three hundred kilowatts (300 kW) if:

(A) The net-metering facility is not for residential use;
and

(B) Allowing an increased generating capacity for the net-metering facility would increase the state's ability to attract businesses to Arkansas."

AND

Page 2, line 17, delete "SECTION 2", and substitute "SECTION 4"

The Amendment was read _____

By: Representative S. Meeks
JLL/JLL - 02-25-2015 13:12:51
JLL230

Chief Clerk