

# Hall of the House of Representatives

94th General Assembly - Regular Session, 2023

## Amendment Form

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### Subtitle of House Bill No. 1370

TO AMEND THE ARKANSAS RENEWABLE ENERGY DEVELOPMENT ACT OF 2001; TO PREVENT COST-SHIFTING AND ENSURE FAIRNESS TO ALL RATEPAYERS; TO CREATE THE CUSTOMER PROTECTIONS FOR NET-METERING CUSTOMERS ACT; AND TO DECLARE AN EMERGENCY.

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### Amendment No. 3 to House Bill 1370

Amend House Bill No. 1370 as engrossed H2/21/23 (version: 2/21/2023 9:37:09 AM):

Page 6, line 1, delete ", including without limitation" and substitute "for"

AND

Page 6, line 6, delete "unless a" and substitute "unless:"

AND

Page 6, delete lines 7 and 8, and substitute the following:

"(1) A commission approved a greater amount for an individual net-metering customer before December 31, 2022;

(2) An individual net-metering customer has executed a contract with a net-metering facility developer by February 22, 2023, to purchase a net-metering facility with a nameplate capacity not to exceed twenty thousand kilowatts (20,000 kW) and has filed that contract with a commission under a protective order by March 31, 2023; or

(3) An individual net-metering customer has filed an application with a commission for approval of a net-metering facility with a nameplate generating capacity not to exceed twenty thousand kilowatts (20,000 kW) before December 31, 2022."

AND

Page 6, line 17, delete "facilities" and substitute "facilities serving multiple meter locations under common ownership"

AND

Page 7, line 32, delete "June 30" and substitute "December 31"



AND

Page 9, line 24, delete "June 30" and substitute "December 31"

AND

Page 9, delete lines 26 and 27, and substitute the following:  
"metering customers pursuant to the rate structure the electric utility elects under § 23-18-606(a);"

AND

Page 13, delete lines 23 through 30, and substitute the following:  
~~"terms, and conditions (11)(A)~~ Allow a net-metering customer to remain under the rate structure in effect before December 31, 2022, as set forth in § 23-18-606(a)(2)(A)-(G), until June 1, 2040, if the net-metering customer has:  
(i) Submitted a standard interconnection agreement to the electric utility before September 30, 2024;  
(ii) Submitted a facilities agreement or equivalent document to establish an account with an electric utility and paid all costs of constructing the electric utility facilities necessary to interconnect the net-metering facility before September 30, 2024; or  
(iii) Filed a complaint with a commission addressing a disputed facilities agreement or equivalent document to establish an account with an electric utility and paid all costs of constructing the electric utility facilities necessary to interconnect the net-metering facility before September 30, 2024."

AND

Page 14, line 7, delete "~~net-metering credits~~" and substitute "net-metering credits for customers who are billed under § 23-18-606(a)(2)(A)-(G) or"

AND

Page 14, line 8, delete "surplus from" and substitute "surplus for all other customers from"

AND

Page 14, line 14, delete "five (5)" and substitute "one hundred (100)"

AND

Page 14, line 15, delete "unless a" and substitute "unless:"

AND

Page 14, delete lines 16 and 17, and substitute the following:  
"(1) A commission approved a greater distance for an individual net-metering customer before December 31, 2022;

(2) An individual net-metering customer has executed a contract with a net-metering facility developer by February 22, 2023, to purchase a net-metering facility with a nameplate capacity not to exceed twenty thousand kilowatts (20,000 kW) with a greater distance and has filed that contract with a commission under a protective order by March 31, 2023; or

(3) An individual net-metering customer has filed an application with a commission for approval of a net-metering facility with a nameplate generating capacity not to exceed twenty thousand kilowatts (20,000 kW) with a greater distance before December 31, 2022; or"

AND

Page 16, line 25, delete ", to all"

AND

Page 16, delete lines 26 and 27, and substitute the following:  
"pursuant to the rate structure the electric utility elects under this subsection; and"

AND

Page 17, delete lines 19 through 22, and substitute the following:  
"supplied by an electric utility pursuant to the rate structure the electric utility elects under this subsection;"

AND

Page 22, line 13, delete "June 30" and substitute "December 31"

AND

Page 22, line 16, delete "June 30" and substitute "December 31"

The Amendment was read \_\_\_\_\_  
By: Representative L. Fite  
CRH/CRH - 02-23-2023 09:03:40  
CRH158 \_\_\_\_\_  
Chief Clerk