

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

A Bill

HOUSE BILL 1456

5 By: Representative S. Meeks
6

For An Act To Be Entitled

8 AN ACT TO REQUIRE UTILITIES TO COMPENSATE NET-
9 METERING CUSTOMERS FOR NET EXCESS GENERATION CREDITS
10 IN CERTAIN CIRCUMSTANCES; TO MAKE TECHNICAL
11 CORRECTIONS; AND FOR OTHER PURPOSES.
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Subtitle

15 TO REQUIRE UTILITIES TO COMPENSATE NET-
16 METERING CUSTOMERS FOR NET EXCESS
17 GENERATION CREDITS IN CERTAIN
18 CIRCUMSTANCES.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code § 23-18-604 is amended to read as follows:

24 (a) An electric utility shall allow net-metering facilities to be
25 interconnected using a standard meter capable of registering the flow of
26 electricity in two (2) directions.

27 (b) Following notice and opportunity for public comment, the Arkansas
28 Public Service Commission:

29 (1) Shall establish appropriate rates, terms, and conditions for
30 net-metering contracts, including a requirement that ~~metering~~ net-metering
31 equipment be installed to ~~both~~ accurately measure the electricity ~~supplied;~~

32 (A) Supplied by the electric utility to each net-metering
33 customer; and ~~also to accurately measure the electricity generated~~

34 (B) Generated by each net-metering customer that is fed
35 back to the electric utility over the applicable billing period;

36 (2) May authorize an electric utility to assess a net-metering



1 customer a greater fee or charge of any type, if the electric utility's
 2 direct costs of interconnection and administration of net metering outweigh
 3 the distribution system, environmental, and public policy benefits of
 4 allocating the costs among the electric utility's entire customer base;

5 (3) Shall require electric utilities to credit a net-metering
 6 customer with any accumulated net excess generation in the next applicable
 7 billing period;

8 (4) May expand the scope of net metering to include additional
 9 facilities that do not use a renewable energy resource for a fuel ~~or may~~
 10 ~~increase the peak limits for individual net-metering facilities~~, if so doing
 11 results in ~~desirable~~ distribution system, environmental, or public policy
 12 benefits;

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

16 ~~(5)~~ (6) Shall provide that:

17 (A) ~~Any~~ The electric utility shall purchase at the
 18 electric utility's avoided cost of wholesale power minus a transmission fee
 19 not exceeding ten percent (10%) any net excess generation credit remaining in
 20 a net-metering customer's account at:

21 (i)(a) At the close of an annual billing cycle shall
 22 expire.

23 (b) However, if the total amount of the
 24 purchase price to be paid under subdivision (b)(6)(A)(i)(a) of this section
 25 is less than one hundred dollars (\$100), the electric utility may credit the
 26 net-metering customer's account for the purchase price rather than purchasing
 27 the net excess generation credits; and

28 (ii) When the net-metering customer:

29 (a) Ceases to be a customer of the electric
 30 utility;

31 (b) Ceases to operate the net-metering
 32 facility; or

33 (c) Transfers the net-metering facility to
 34 another person; and

35 (B) ~~Any~~ A renewable energy credit created as the result of
 36 electricity supplied by a net-metering customer is the property of the net-

1 metering customer that generated the renewable credit.

2 (c) As used in this section, "avoided cost of wholesale power" means
3 the cost to an electric utility of electric energy or capacity, or both,
4 that, but for the purchase from a net-metering customer, the electric utility
5 would generate on its own or purchase from another source.

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