

State of Arkansas *As Engrossed: S4/7/25 S4/9/25*

95th General Assembly

## A Bill

Regular Session, 2025

SENATE BILL 615

By: Senator C. Penzo

By: Representative Pilkington

### For An Act To Be Entitled

*AN ACT TO AMEND THE LAW CONCERNING ENERGY; TO  
REGULATE NONEXPORT FACILITIES; AND FOR OTHER  
PURPOSES.*

### Subtitle

*TO AMEND THE LAW CONCERNING ENERGY; AND  
TO REGULATE NONEXPORT FACILITIES.*

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 23, Chapter 18, Subchapter 1, is amended to add an additional section to read as follows:

23-18-111. Nonexport facility – Definition – Rules.

(a) As used in this section, "nonexport facility" means a facility for the production of electrical energy to meet all or part of a customer's need for electrical energy within a single electric utility's allocated service territory that does not intentionally feed electricity back to the electric utility.

(b)(1) On or before March 1, 2026, following notice, opportunity for public comment, and a hearing, the Arkansas Public Service Commission shall promulgate appropriate rules for a nonexport facility.

(2) The rules promulgated under subdivision (b)(1) of this section shall include without limitation:

(A) Standards for the safe, reliable, and acceptable operation of a nonexport facility, including:

(i) Thermal, service voltage, power quality, or network limits associated with inadvertent export events; and



(ii) Acceptable methods of export limitation,  
including:

(a) Power control systems;

(b) Reverse power protection;

(c) Minimum power protection; and

(d) Any necessary limit on capacity size; and

(B) An expedited review process for:

(i) Evaluating and approving acceptable export control methods and requirements for a nonexport facility; and

(ii) Interconnection.

SECTION 2. Arkansas Code § 23-18-603(9), concerning the definition of "net-metering facility" used under the Arkansas Cost-Shifting Prevention Act of 2023, is amended to add an additional subdivision to read as follows:

(G) Does not include a nonexport facility as defined in §  
23-18-111.

/s/C. Penzo