

§3209-B. Commercial and institutional net energy billing

The commission shall establish by rule, in accordance with this section, a net energy billing program for commercial and institutional customers of investor-owned utilities. [PL 2019, c. 478, Pt. A, §4 (NEW).]

1. Definitions. As used in this section, the following terms have the following meanings.

A. "Commercial and institutional net energy billing program" or "program" means the net energy billing program established pursuant to this section. [PL 2019, c. 478, Pt. A, §4 (NEW).]

B. "Commercial or institutional customer" or "customer" means a nonresidential customer of an investor-owned transmission and distribution utility in the State. [PL 2019, c. 478, Pt. A, §4 (NEW).]

C. "Distributed generation resource" has the same meaning as in section 3209-A, subsection 1, paragraph B. [RR 2019, c. 1, Pt. A, §51 (COR).]

D. "Net energy billing" means the system of bill credits available under the program as described in subsection 5. [PL 2019, c. 478, Pt. A, §4 (NEW).]

[PL 2019, c. 478, Pt. A, §4 (NEW); RR 2019, c. 1, Pt. A, §51 (COR).]

2. Financial interest. The program must allow a commercial or institutional customer to participate in the program if the customer has a financial interest in a distributed generation resource, including facility ownership, a lease agreement or a power purchase agreement. [PL 2019, c. 478, Pt. A, §4 (NEW).]

3. System size. The nameplate capacity of a distributed generation resource that may be used for net energy billing under this section must be less than 5 megawatts. [PL 2019, c. 478, Pt. A, §4 (NEW).]

4. Shared financial interest; limitation. Multiple commercial or institutional customers that have distinct billing accounts with an investor-owned transmission and distribution utility may share a financial interest in a distributed generation resource under subsection 2. Any number of commercial or institutional customers may participate in net energy billing with a shared interest in a distributed generation resource, except that the number of customers or meters is limited to 10 for a shared interest in a distributed generation resource located in the service territory of an investor-owned transmission and distribution utility located in an area administered by the independent system administrator for northern Maine or any successor of the independent system administrator for northern Maine unless the commission determines that the utility's billing system can accommodate more than 10 accounts or meters for the purpose of net energy billing. [PL 2019, c. 478, Pt. A, §4 (NEW).]

5. Tariff rate; bill credits. The commission shall establish by rule a tariff rate for customers participating in the program. The initial tariff rate must be established no later than December 1, 2019.

A. The tariff rate must equal the standard offer service rate established under section 3212 that is applicable to the customer receiving the credit plus 75% of the effective transmission and distribution rate for the rate class that includes the smallest commercial customers of the investor-owned transmission and distribution utility. [PL 2019, c. 478, Pt. A, §4 (NEW).]

B. A customer participating in the program must receive for electricity delivered to the electric grid from a distributed generation resource in which the customer has a financial interest a bill credit based on the tariff rate to apply against the costs of electricity delivered to the customer by the investor-owned transmission and distribution utility. [PL 2019, c. 478, Pt. A, §4 (NEW).]

C. A bill credit under the program as described in paragraph B may be applied to any portion of a customer's electricity bill. Credits that remain unused at the end of any billing period may be

carried forward for up to one year from the end of that billing period. [PL 2019, c. 478, Pt. A, §4 (NEW).]

D. A customer participating in the program who remains eligible to participate in the program must be allowed to receive a bill credit based on the tariff rate for a period of no less than 20 years from the date of first receiving the credit. [PL 2019, c. 478, Pt. A, §4 (NEW).]
[PL 2019, c. 478, Pt. A, §4 (NEW).]

6. Rules. The commission shall adopt rules to implement this section. Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.
[PL 2019, c. 478, Pt. A, §4 (NEW).]

SECTION HISTORY

PL 2019, c. 478, Pt. A, §4 (NEW). RR 2019, c. 1, Pt. A, §51 (COR).

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