

SENATE BILL NO. 226

INTRODUCED BY J. PRIEST

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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE USE OF NET METERING SYSTEMS; REQUIRING THE CUSTOMER-GENERATOR TO HAVE TWO METERS; REQUIRING THE CUSTOMER-GENERATOR TO PAY TRANSMISSION AND DISTRIBUTION CHARGES; AMENDING SECTIONS 69-8-602 AND 69-8-603, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 69-8-602, MCA, is amended to read:

"69-8-602. Utility net metering requirements. (1) A utility shall:

~~_____ (1) allow net metering systems to be interconnected using a two standard kilowatt-hour meter meters with one METERING SYSTEMS capable of registering measuring REGISTERING the flow amount FLOW of electricity DELIVERED TO AND RECEIVED FROM THE UTILITY. in two directions, unless the commission determines, after appropriate notice and opportunity for comment:~~

~~_____ (a) that the use of additional metering equipment to monitor the flow of electricity in each direction is necessary and appropriate for the interconnection of net metering systems, after taking into account the benefits and costs of purchasing and installing additional metering equipment; and~~

~~(b) how the costs of net metering are to be allocated between the customer-generator and the utility; and~~

~~_____ (2) charge the customer-generator a minimum monthly fee that is the same as other customers of the electric utility in the same rate class. produced by the customer-generator and the other capable of measuring the amount of electricity received from the utility. Readings from both meters must be reported to the utility each billing cycle. During each billing cycle:~~

~~(a) the utility shall credit the number of kilowatt hours of electricity produced by the customer-generator against the number of kilowatt hours of FOR electricity received from the utility CUSTOMER-GENERATOR; and~~

~~(b) the customer-generator shall pay the utility a monthly service charge and all transmission and distribution charges for electricity delivered by the utility to the customer-generator.~~

~~(2) The value of the electricity produced by the customer-generator pursuant to subsection (1) is equal to the value of the electricity supplied to the customer-generator by the utility, excluding transmission and ancillary~~

1 costs.

2 (3) The commission shall determine, after appropriate notice and opportunity for comment if:

3 (a) the utility will incur any additional direct costs associated with interconnecting or administering net
4 metering systems that exceed any offsetting benefits associated with these net metering systems; and

5 (b) public policy is best served by imposing these costs on the customer-generator, rather than allocating
6 these costs among the utility's entire customer base."

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8 **Section 2.** Section 69-8-603, MCA, is amended to read:

9 **"69-8-603. Net energy measurement calculation.** Consistent with the other provisions of this part, the
10 net energy measurement must be calculated in the following manner:

11 (1) The utility shall measure the net electricity produced or consumed during the billing period, in
12 accordance with ~~normal metering practices~~ 69-8-602.

13 (2) If the electricity supplied by the electricity supplier exceeds the electricity generated by the
14 customer-generator and fed back to the electricity supplier during the billing period, the customer-generator must
15 be billed for the net electricity supplied by the electricity supplier, in accordance with normal metering practices
16 and 69-8-602.

17 (3) If electricity generated by the customer-generator exceeds the electricity supplied by the electricity
18 supplier, the customer-generator must be:

19 (a) billed for the appropriate customer charges for that billing period, in accordance with 69-8-602; and

20 (b) credited for the excess kilowatt hours generated during the billing period, with this kilowatt-hour credit
21 appearing on the bill for the following billing period.

22 (4) On January 1, April 1, July 1, or October 1 of each year, as designated by the customer-generator
23 as the beginning date of a 12-month billing period, any remaining unused kilowatt-hour credit accumulated during
24 the previous 12 months must be granted to the electricity supplier, without any compensation to the
25 customer-generator."

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27 **NEW SECTION. SECTION 3. SAVING CLAUSE. [THIS ACT] DOES NOT AFFECT RIGHTS AND DUTIES THAT**
28 **MATURED, PENALTIES THAT WERE INCURRED, OR PROCEEDINGS THAT WERE BEGUN BEFORE [THE EFFECTIVE DATE OF THIS**
29 **ACT].**

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