

HOUSE BILL NO. 170  
INTRODUCED BY B. THOMAS

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING CUSTOMER-GENERATORS TO OPT NOT TO CONNECT A NET METERING SYSTEM TO OTHER METERS ON THE CUSTOMER-GENERATOR'S PREMISES; ALLOWING NET ELECTRICITY PRODUCED BY A CUSTOMER-GENERATOR TO BE CREDITED TO ALL ACCOUNTS ON THE CUSTOMER-GENERATOR'S PREMISES FOR EACH BILLING PERIOD; ALLOWING ANY REMAINING UNUSED KILOWATT-HOUR CREDIT ACCUMULATED DURING THE PREVIOUS 12 MONTHS TO BE GRANTED TO THE CUSTOMER-GENERATOR; REQUIRING A DISTRIBUTION SERVICES PROVIDER TO COMPENSATE THE CUSTOMER-GENERATOR IN AN AMOUNT EQUAL TO THE AVERAGE RETAIL RATE OF THE UNUSED ELECTRICITY FOR THE RATE CLASS OF THE CUSTOMER; AND AMENDING SECTIONS 69-8-602 AND 69-8-603, MCA."

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. Distribution services provider net metering requirements.** A distribution services provider shall:

(1) allow net metering systems to be interconnected using a standard kilowatt-hour meter capable of registering the flow of electricity 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 distribution services provider; and

(c) that the customer-generator opts not to have an interconnection between the net metering system and additional meters on the customer-generator's premises; 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. The commission shall determine, after appropriate notice and opportunity for comment if:

(a) the distribution services provider will incur direct costs associated with interconnecting or administering net metering systems that exceed any offsetting benefits associated with these net metering systems; and

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

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

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

(1) The distribution services provider shall measure the net electricity produced or consumed during the billing period, in accordance with normal metering practices.

(2) The net electricity produced by the customer-generator must be credited to accounts for all meters on the customer-generator's premises for each billing period.

~~(2)(3)~~ If the electricity supplied by the electricity supplier exceeds the electricity generated by the customer-generator and fed back to the electricity supplier during the billing period, the customer-generator must be billed for the net electricity supplied by the electricity supplier, in accordance with normal metering practices.

~~(3)(4)~~ If electricity generated by the customer-generator exceeds the electricity supplied by the electricity supplier, the customer-generator must be:

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

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

~~(4)(5)~~ On January 1, April 1, July 1, or October 1 of each year, as designated by the customer-generator as the beginning date of a 12-month billing period, any remaining unused kilowatt-hour credit accumulated during the previous 12 months must be granted to the ~~electricity supplier, without any compensation to the~~ customer-generator.

(6) The customer-generator must be compensated in an amount equal to the average retail rate of the unused electricity for the rate class of the customer."

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