

1 HOUSE BILL NO. 52

2 INTRODUCED BY D. ZOLNIKOV

3 BY REQUEST OF THE ENERGY AND TELECOMMUNICATIONS INTERIM COMMITTEE

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5 A BILL FOR AN ACT ENTITLED: "AN ACT GRANDFATHERING EXISTING CUSTOMER-GENERATOR RATES
6 FOR NET-METERED CUSTOMERS; AMENDING SECTION 69-3-306, MCA; AND PROVIDING AN IMMEDIATE
7 EFFECTIVE DATE."

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

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11 NEW SECTION. **Section 1. Grandfather clause.** (1) Except as provided in subsection (2), if the
12 commission approves a new classification of service for customer-generators in accordance with this part or
13 69-3-306, the new rate applies only to customer-generators interconnecting net metering systems on or after the
14 date on which the commission adopts a final order implementing the new classification.

15 (2) (a) A customer-generator that interconnects a net metering system prior to commission approval of
16 a new classification of service for customer-generators may accept service under the new classification of service
17 at any time.

18 (b) After accepting service under a new classification of service, the customer-generator may not return
19 to its original classification of service.

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21 **Section 2.** Section 69-3-306, MCA, is amended to read:

22 **"69-3-306. Classification of service.** (1) ~~The~~ Except as provided in [section 1], the commission may
23 prescribe classifications of the service of all public utilities. ~~Such classifications~~ Classifications may take into
24 account the quantity used, the time when used, and any other reasonable consideration. ~~Each~~ A public utility ~~is~~
25 ~~required to~~ shall conform its schedule of rates, tolls, and charges to ~~such the~~ the classifications.

26 (2) The commission shall prescribe a declining block rate structure for electric service, when
27 cost-justified."

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29 NEW SECTION. **Section 3. Codification instruction.** [Section 1] is intended to be codified as an
30 integral part of Title 69, chapter 8, part 6, and the provisions of Title 69, chapter 8, part 6, apply to [section 1].

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2 NEW SECTION. **Section 4. Effective date.** [This act] is effective on passage and approval.

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