



125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 795

S.P. 239

In Senate, March 1, 2011

An Act To Expand Net Energy Billing

Reference to the Committee on Energy, Utilities and Technology suggested and ordered printed.

Joseph G. Carleton Jr.

JOSEPH G. CARLETON, JR.
Secretary of the Senate

Presented by Senator WHITTEMORE of Somerset.

Cosponsored by Senators: MARTIN of Kennebec, MASON of Androscoggin, RECTOR of Knox, SAVIELLO of Franklin, SNOWE-MELLO of Androscoggin, Representative: RICHARDSON of Warren.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 35-A MRSA §3209-A** is enacted to read:

3 **§3209-A. Net energy billing**

4 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
5 following terms have the following meanings.

6 **A. "Eligible customer"** means a customer of a transmission and distribution utility:

7 **(1) Who owns or has legal rights to energy generated by an eligible generator;**
8 **and**

9 **(2) Whose electric meter is located in the same transmission and distribution**
10 **utility service territory as the eligible generator.**

11 **B. "Eligible generator"** means an electricity generator that meets size, fuel use or
12 **efficiency requirements established by the commission by rule.**

13 **C. "Net energy billing"** means a metering and billing practice under which an
14 **eligible customer is billed on the basis of net energy used by that eligible customer,**
15 **taking into account electricity generated by the eligible customer from an eligible**
16 **generator and electricity delivered to the eligible customer by the transmission and**
17 **distribution utility.**

18 **2. Net energy billing option.** The commission by rule shall permit eligible
19 **customers to elect net energy billing.**

20 **3. Rules.** Rules adopted under this section are routine technical rules as defined in
21 **Title 5, chapter 375, subchapter 2-A.**

22 **SUMMARY**

23 Under current rules of the Public Utilities Commission, eligible customers who have
24 certain interests in small renewable or highly efficient generators may elect net energy
25 billing under which the eligible customer is billed on the basis of net energy used by that
26 eligible customer, taking into account electricity generated by the eligible customer and
27 electricity delivered to the eligible customer by the transmission and distribution utility.

28 This bill defines "eligible customer" for the purposes of net energy billing and
29 requires the commission to permit net energy billing of any eligible customer that has
30 legal rights to energy generated by an eligible generator located within the same
31 transmission and distribution utility service territory as the eligible customer.