

JAN 27 2010

S.B. NO. 2836

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# A BILL FOR AN ACT

RELATING TO NET ENERGY METERING.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. Section 269-101.5, Hawaii Revised Statutes, is  
2 amended to read as follows:

3       "~~+~~\$269-101.5~~+~~ **Maximum capacity of eligible customer-**  
4 **generator.** The eligible customer-generator shall have a  
5 capacity of not more than ~~[fifty]~~ one hundred kilowatts;  
6 provided that the public utilities commission may increase the  
7 maximum allowable capacity that eligible customer-generators may  
8 have to an amount greater than ~~[fifty]~~ one hundred kilowatts by  
9 rule or order."

10       SECTION 2. Section 269-102, Hawaii Revised Statutes, is  
11 amended by amending subsection (a) to read as follows:

12       "(a) Every electric utility shall develop a standard  
13 contract or tariff providing for net energy metering and shall  
14 make this contract available to eligible customer-generators,  
15 upon request, on a first-come-first-served basis until the time  
16 that the total rated generating capacity produced by eligible  
17 customer-generators equals ~~[-5]~~ three per cent of the electric  
18 utility's system peak demand~~+~~ or fifteen per cent of peak



1 circuit demand for all distribution-level circuits of twelve  
2 kilovolts or lower; provided that [the]:

3       (1) The public utilities commission may modify, by rule or  
4       order, the total rated generating capacity produced by  
5       eligible customer-generators; [~~provided further that~~  
6       ~~the~~]; and

7       (2) The public utilities commission shall ensure that a  
8       percentage of the total rated generating capacity  
9       produced by eligible customer-generators shall be  
10      reserved for electricity produced by eligible  
11      residential or small commercial customer-generators.

12      The public utilities commission may define, by rule or  
13      order, the maximum capacity for eligible residential or small  
14      commercial customer-generators. Notwithstanding the generating  
15      capacity requirements of this subsection, the public utilities  
16      commission may evaluate, on an island-by-island basis, the  
17      applicability of the generating capacity requirements of this  
18      subsection and, in its discretion, may exempt an island or a  
19      utility grid system from the generating capacity requirements."

20      SECTION 3. Section 269-104, Hawaii Revised Statutes, is  
21      amended to read as follows:



1       "**S269-104 Additional customer-generators.** Notwithstanding  
2 section 269-102, an electric utility is not obligated to provide  
3 net energy metering to additional customer-generators in its  
4 service area when the combined total peak generating capacity of  
5 all eligible customer-generators served by all the electric  
6 utilities in that service area furnishing net energy metering to  
7 eligible customer-generators equals [~~7.5~~] three per cent of the  
8 system peak demand of those electric utilities[~~7~~] or fifteen per  
9 cent of peak circuit demand for all distribution-level circuits  
10 of twelve kilovolts or lower; provided that the public utilities  
11 commission may increase, by rule or order, the allowable  
12 percentage of the electric utility's system peak demand produced  
13 from eligible customer-generators in the electric utility's  
14 service area, whereupon the electric utility will be obligated  
15 to provide net energy metering to additional eligible customer-  
16 generators in that service area up to the increased percentage  
17 amount."

18       SECTION 4. Statutory material to be repealed is bracketed  
19 and stricken. New statutory material is underscored.

20       SECTION 5. This Act shall take effect upon its approval.  
21

INTRODUCED BY: 



**Report Title:**

Net Energy Metering

**Description:**

Increases the maximum allowable generating capacity of an eligible customer-generator from 50 kilowatts to 100 kilowatts. Increases the total allowable rated generating capacity produced by eligible customer-generators from 0.5% to 3% of a utility's peak demand or 15% of peak circuit demand for all distribution-level circuits of 12kV or lower.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

