

1 COMMITTEE SUBSTITUTE

2 FOR

3 **Senate Bill No. 1**

4 (By Senators Cole (Mr. President), Boley, Carmichael, Ferns,  
5 Gaunch, D. Hall, Karnes, Leonhardt, Maynard, Mullins, Nohe, Sypolt, Trump, Walters, Blair,  
6 Plymale, Kirkendoll, Stollings and Takubo)

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8 [Originating in the Committee on Energy, Industry and Mining;  
9 reported January 19, 2015.]  
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12 A BILL to repeal §24-2F-1, §24-2F-2, §24-2F-3, §24-2F-4, §24-2F-5, §24-2F-6, §24-2F-7, §24-2F-  
13 9, §24-2F-10, §24-2F-11 and §24-2F-12 of the Code of West Virginia, 1931, as amended;  
14 and to amend and reenact §24-2F-8 of said code, relating to the Alternative and Renewable  
15 Energy Portfolio Act; allowing customer-generators to transfer accrued net meter credits to  
16 that utility's nonprofit that provides relief to customers in need of financial assistance; and  
17 providing definitions.

18 *Be it enacted by the Legislature of West Virginia:*

19 That §24-2F-1, §24-2F-2, §24-2F-3, §24-2F-4, §24-2F-5, §24-2F-6, §24-2F-7, §24-2F-9,  
20 §24-2F-10, §24-2F-11 and §24-2F-12 of the Code of West Virginia, 1931, as amended, be repealed;  
21 and that §24-2F-8 of said code be amended and reenacted, to read as follows:

22 **ARTICLE 2F. NET METERING OF CUSTOMER-GENERATORS.**

1 **§24-2F-8. Net metering and interconnection standards.**

2 (a) The commission shall adopt a rule requiring that all electric utilities provide a rebate or  
3 discount at fair value, to be determined by the commission, to customer-generators for any electricity  
4 generation that is delivered to the utility under a net metering arrangement.

5 (b) The commission shall also consider adopting, by rule, a requirement that all sellers of  
6 electricity to retail customers in the state, including rural electric cooperatives, municipally owned  
7 electric facilities or utilities serving ~~less~~ fewer than thirty thousand residential electric customers in  
8 this state, offer net metering rebates or discounts to customer-generators.

9 (c) The commission shall institute a general investigation for the purpose of adopting rules  
10 pertaining to net metering and the interconnection of eligible electric generating facilities intended  
11 to operate in parallel with an electric utility's system. As part of its investigation, the commission  
12 shall take into consideration rules of other states within the applicable region of the regional  
13 transmission organization, as that term is defined in 18 C. F. R. §35.34, that manages a utility's  
14 transmission system in any part of this state. Furthermore, the commission shall consider increasing  
15 the allowed kilowatt capacity for commercial customer-generators to an amount not to exceed five  
16 hundred kilowatts and for industrial customer-generators to an amount not to exceed two megawatts.  
17 The commission shall further consider interconnection standards for combined heat and power.

18 (d) The commission shall promulgate these rules within twelve months of the effective date  
19 of this article.

20 (e) The commission shall adopt a rule requiring that all electric utilities allow for customer-  
21 generators to transfer any accrued net meter credits to a utility-approved nonprofit that provides relief  
22 to customers in need of financial assistance.

1        (f) “Net metering” means measuring the difference between electricity supplied by an electric  
2 utility and electricity generated from an alternative or renewable energy resource facility owned or  
3 operated by an electric retail customer when any portion of the electricity generated from the  
4 alternative or renewable energy resource facility is used to offset part or all of the electric retail  
5 customer's requirements for electricity.

6        (g) “Customer-generator” means an electric retail customer who owns and operates a  
7 customer-sited generation project utilizing an alternative or renewable energy resource or a net  
8 metering system in this state.