

E N G R O S S E D

H. B. 2201

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[Introduced January 20, 2015; originating in
the Committee on the Judiciary]

A BILL to amend and reenact §24-2F-8 of the Code of West Virginia, 1931, as amended, all relating to providing a definition for net metering, requiring the Public Service Commission to adopt certain net metering and interconnection rules and standards, and striking deadlines for rule-making by the Public Service Commission.

Be it enacted by the Legislature of West Virginia:

That §24-2F-8 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 2F.NET METERING OF CUSTOMER-GENERATORS.

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

1 (a) “Net metering” means measuring the difference between
2 electricity supplied by an electric utility and electricity generated
3 from a facility owned and operated by an electric retail customer
4 when any portion of the electricity generated from the facility is
5 used to offset part or all of the electric retail customer’s
6 requirements for electricity. *Provided*, That this section shall not
7 preclude an educational or religious organization customer-
8 generator, that either owns or operates its own facility, from
9 utilizing a net metering system in this state.

10 (b) The commission shall adopt a rule requiring that all
11 electric utilities provide a rebate or discount at fair value, to be
12 determined by the commission, to customer-generators for any
13 electricity generation that is delivered to the utility under a net
14 metering arrangement. The commission shall assure that any net
15 metering tariff does not create a cross-subsidization between
16 customers within one class of service.

17 ~~(b)~~ (c) The commission shall also consider adopting, by rule,
18 a requirement that all sellers of electricity to retail customers in

19 the state, including rural electric cooperatives, municipally
20 owned electric facilities or utilities serving less than thirty
21 thousand residential electric customers in this state, offer net
22 metering rebates or discounts to customer-generators.

23 ~~(c)~~ (d) The commission shall institute a general investigation
24 for the purpose of adopting rules pertaining to net metering and
25 the interconnection of eligible electric generating facilities
26 intended to operate in parallel with an electric utility's system.
27 As part of its investigation, the commission shall take into
28 consideration rules of other states within the applicable region of
29 the regional transmission organization, as that term is defined in
30 18 C.F.R. §35.34, that manages a utility's transmission system
31 in any part of this state. Furthermore, the commission shall
32 consider increasing the allowed kilowatt capacity for commercial
33 customer-generators to an amount not to exceed five hundred
34 kilowatts and for industrial customer-generators to an amount
35 not to exceed two megawatts. The commission shall further
36 consider interconnection standards for combined heat and power.

37 ~~(d) The commission shall promulgate these rules within~~
38 ~~twelve months of the effective date of this article.~~

39 (e) The commission shall adopt a rule requiring compliance
40 with the National Electrical Code and the Institute of the
41 Electrical and Electronics Engineers (IEEE), and the same shall
42 be amended, standards at all times, including having a
43 disconnect readily accessible to the utility between the facilities
44 of the customer generator and the electric utility.

NOTE: The purpose of this bill is amend and add language to West Virginia Code §24-2F-8 all relating to providing a definition for net metering, requiring the Public Service Commission to adopt certain net metering and interconnection rules and standards, and striking deadlines for rule-making by the Public Service Commission.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.