

Department of Legislative Services
Maryland General Assembly
2010 Session

FISCAL AND POLICY NOTE
Revised

House Bill 1169
Economic Matters

(Delegate Bartlett, *et al.*)

Finance

Agricultural and Net Energy Metering Production Act of 2010

This bill authorizes the Public Service Commission (PSC) to adopt regulations that allow “meter aggregation” of electrical service equipment used by an eligible customer-generator under the net energy metering program. The regulations may also establish a fee or tariff that the eligible customer-generator must pay to the electric company to offset the costs of meter aggregation service.

“Meter aggregation” is the combination of readings from, and billing for, all meters, regardless of rate class, on properties owned or leased by and operated by an eligible customer-generator within the service territory of an electric company.

Fiscal Summary

State Effect: PSC can implement the bill with existing budgeted resources.

Local Effect: Local governments that are eligible customer-generators may benefit from meter aggregation.

Small Business Effect: Potential meaningful.

Analysis

Current Law: Net energy metering is defined as measurement of the difference between the electricity that is supplied by an electric company and the electricity that is generated by an eligible customer-generator and fed back to the electric company over the eligible customer-generator’s billing period. An “eligible customer-generator” is a customer that owns and operates, or leases and operates, a biomass, solar, wind, or micro combined

heat and power electric generating facility located on the customer's premises or contiguous property; interconnected and operated in parallel with an electric company's transmission and distribution facilities; and intended primarily to offset all or part of the customer's own electricity requirements. The generating capacity of an eligible customer-generator for net metering may not exceed two megawatts.

An eligible customer-generator may carry forward credits from excess generation, in the form of a negative kilowatt-hour reading, for up to 12 months or until the customer-generator's consumption of electricity from the grid eliminates that credit. At the expiration of the 12-month accrual period any credits from excess generation revert to the electric company and may not be recovered by the eligible customer-generator. State law does not permit eligible customer-generators to transfer credits from excess generation.

For an eligible customer-generator whose facility is sized to produce energy in excess of the customer-generator's annual energy consumption, PSC may require the customer-generator to install a dual meter capable of measuring the flow of electricity in two directions and must develop a credit formula that excludes recovery of transmission and distribution costs and provides a dollar-for-dollar offset of electricity supplied by the grid compared to electricity generated by the company.

PSC is required to submit an annual report on the status of net energy metering to the General Assembly by February 1 of each year. This report must contain the amount of generating capacity owned by eligible customer-generators in the State, the type of energy resource used in generation, a recommendation on if the generating capacity limit of the net metering program should be altered, and other pertinent information.

Background: Based on data submitted by electric companies, there are currently over 1,000 customer-generators in the State participating in net metering and approximately 90% of these customer-generators have solar installations. Over 55% of customer generators have 4 kilowatts or less of generating capacity and over 90% of customer-generators have 10 kilowatts or less of generating capacity.

The 2010 annual report on net energy metering has not been submitted to the General Assembly by PSC. The most recent data reported by PSC available on net energy metering is provided in **Exhibit 1**. During calendar 2008, the amount of generation increased from 364 kilowatts to 2,453 kilowatts. This represents only 0.16% of the current statewide limit of 1,500 megawatts for total net energy metering capacity. As of January 2009, the majority of net metering in the State was from solar generation. The generation sources are likely to have changed in the past 12 months, as additional generation sources have become eligible for net energy metering (micro combined heat

and power) and additional grants have been provided for solar and small wind installations

Exhibit 1
January 2009 Net Metering Capacity
(Kilowatts)

<u>Electric Utility</u>	<u>Solar</u>	<u>Wind</u>	<u>Biomass</u>	<u>Utility Total</u>
A & N Electric Cooperative	-	-	-	-
Baltimore Gas and Electric Company	302.8	0.8	-	303.6
Choptank Electric Cooperative	21.2	37.2	-	58.4
Delmarva Power and Light Company	85.4	27.7	-	113.1
Easton Utilities	-	-	-	-
Hagerstown Municipal Light Company	1.0	-	-	1.0
Town of Thurmont	-	-	-	-
Town of Berlin	-	-	-	-
Potomac Electric Power Company	713.3	-	-	713.3
Potomac Edison Company	1,035.5	144.9	-	1,180.4
Williamsport Light	-	-	-	-
Southern Maryland Electric Cooperative	83.2	-	-	83.2
Somerset Electric Cooperative	-	-	-	-
Total	2,242.4	210.6	-	2,453.0

Source: Public Service Commission

Local/Small Business Effect: Meter aggregation provides a meaningful benefit to eligible customer-generators that own multiple properties or have multiple structures on a single property that use different electric meters, such as farms. Authorizing PSC to implement regulations that allow eligible customer-generators that own or lease and operate multiple properties to use excess electricity generated at one location to offset consumption at a nearby location will allow for an overall reduction in electricity costs for the properties to which the excess generation is in effect transferred.

Effect on Retail Electric Customers: The bill will not have a significant effect on the net energy metering program or electric rates as a whole due to the limited application of the bill. To the extent that changes to the net energy metering program increase electric company costs to administer the program, residential electric rates may increase, as electric company costs to administer the net energy metering program are charged to all customers through base distribution rates. However, to the extent that changes to the net energy metering program result in an increase in small distributed generation, retail

electric customers may benefit from reduced rates. Distributed generation provides a meaningful benefit by alleviating congestion in electric transmission lines and lessening overall demand for electricity during periods of peak demand.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland Department of Agriculture, Public Service Commission, Department of Legislative Services

Fiscal Note History: First Reader - March 12, 2010
mlm/lgc Revised - House Third Reader - April 1, 2010

Analysis by: Erik P. Timme

Direct Inquiries to:
(410) 946-5510
(301) 970-5510