

# HOUSE BILL 1631

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By: **Delegates S. Howard, Ghrist, Rose, and Shoemaker**

Introduced and read first time: February 9, 2018

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Commercial Solar Facilities – Vicinity Tariff**

3 FOR the purpose of requiring an electric company to make available to certain retail electric  
4 customers a certain discount on a certain rate based on the location of a certain meter  
5 within a certain distance from a certain solar facility; requiring the discount to be  
6 included in a certain tariff; requiring the discount to be offered on an opt-in basis;  
7 requiring the electric company to provide certain notice of the discount to certain  
8 customers each year in a certain manner; defining a certain term; providing for the  
9 application of this Act; and generally relating to electricity rates and commercial  
10 solar facilities.

11 BY repealing and reenacting, without amendments,  
12 Article – Public Utilities  
13 Section 1–101(a), (h), (z), and (cc)  
14 Annotated Code of Maryland  
15 (2010 Replacement Volume and 2017 Supplement)

16 BY adding to  
17 Article – Public Utilities  
18 Section 4–307  
19 Annotated Code of Maryland  
20 (2010 Replacement Volume and 2017 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
22 That the Laws of Maryland read as follows:

23 **Article – Public Utilities**

24 1–101.

25 (a) In this division the following words have the meanings indicated.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (h) (1) “Electric company” means a person who physically transmits or  
2 distributes electricity in the State to a retail electric customer.

3 (2) “Electric company” does not include:

4 (i) the following persons who supply electricity and electricity  
5 supply services solely to occupants of a building for use by the occupants:

6 1. an owner/operator who holds ownership in and manages  
7 the internal distribution system serving the building; or

8 2. a lessee/operator who holds a leasehold interest in and  
9 manages the internal distribution system serving the building;

10 (ii) any person who generates on-site generated electricity; or

11 (iii) a person who transmits or distributes electricity within a site  
12 owned by the person or the person’s affiliate that is incidental to a primarily  
13 landlord-tenant relationship.

14 (z) (1) “Rate” means a toll, fare, tariff, fee, price, or other charge, or a  
15 combination of these items, by a public service company for public utility service.

16 (2) “Rate” includes a schedule, regulation, classification, or practice of a  
17 public service company that affects:

18 (i) the amount of a charge; or

19 (ii) the nature and value of the service rendered for the charge.

20 (cc) (1) “Retail electric customer” means a purchaser of electricity for end use  
21 in the State.

22 (2) “Retail electric customer” includes:

23 (i) a person that owns or operates equipment used for charging  
24 electric vehicles, including:

25 1. an electric vehicle charging station;

26 2. electric vehicle supply equipment; or

27 3. an electric vehicle charging station service company or  
28 provider; and

29 (ii) a person that charges an electric vehicle at an electric vehicle

1 charging station that the person owns or operates.

2 (3) "Retail electric customer" does not include:

3 (i) an occupant of a building in which the owner/operator or  
4 lessee/operator manages the internal distribution system serving the building and supplies  
5 electricity and electricity supply services solely to occupants of the building for use by the  
6 occupants;

7 (ii) a person who generates on-site generated electricity, to the  
8 extent the on-site generated electricity is consumed by that person or its tenants; or

9 (iii) except as provided in paragraph (2)(ii) of this subsection, a  
10 person that charges an electric vehicle at an electric vehicle charging station.

11 **4-307.**

12 (A) IN THIS SECTION, "COMMERCIAL SOLAR FACILITY" MEANS A SOLAR  
13 PHOTOVOLTAIC ELECTRIC GENERATING STATION THAT:

14 (1) HAS A NAMEPLATE GENERATING CAPACITY OF AT LEAST 2  
15 MEGAWATTS; AND

16 (2) HAS AS A PRINCIPAL ACTIVITY THE GENERATION OF ELECTRICITY  
17 FOR SALE TO THE ELECTRIC GRID ON A WHOLESALE BASIS.

18 (B) THIS SECTION APPLIES TO ELECTRICITY DISTRIBUTION RATES FOR  
19 AREAS LOCATED WITHIN ONE-HALF MILE OF A COMMERCIAL SOLAR FACILITY.

20 (C) AN ELECTRIC COMPANY SHALL MAKE AVAILABLE TO EACH RETAIL  
21 ELECTRIC CUSTOMER HAVING A METER LOCATED WITHIN ONE-HALF MILE OF A  
22 COMMERCIAL SOLAR FACILITY A DISCOUNT ON THE RATE CHARGED BY VOLUME FOR  
23 ELECTRICITY USAGE THROUGH THAT METER OF AT LEAST 30% BELOW THE RATE  
24 CHARGED TO OTHER CUSTOMERS OF THE SAME CLASS IN THE ELECTRIC COMPANY'S  
25 DISTRIBUTION SERVICE TERRITORY.

26 (D) THE DISCOUNT SHALL BE:

27 (1) INCLUDED IN THE TARIFF SCHEDULE FILED BY THE ELECTRIC  
28 COMPANY WITH THE COMMISSION UNDER § 4-202 OF THIS TITLE; AND

29 (2) MADE AVAILABLE TO THE CUSTOMER ON AN OPT-IN BASIS.

30 (E) THE ELECTRIC COMPANY SHALL NOTIFY EACH ELIGIBLE CUSTOMER

1 ABOUT THE AVAILABILITY OF THE DISCOUNT AT LEAST ONCE EACH YEAR THROUGH  
2 A BILLING INSERT OR OTHER APPROPRIATE MEANS.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
4 1, 2018.