

**Maryland General Assembly
Department of Legislative Services**

**Proposed Regulation
Public Service Commission
(DLS Control No. 16-038)**

Overview and Legal and Fiscal Impact

This regulation alters the eligibility requirements for meter aggregation in net energy metering.

The regulation presents no legal issues of concern.

There is no fiscal impact on State or local agencies.

Regulation of COMAR Affected

Public Service Commission:

Service Supplied by Electric Companies: Net Metering: COMAR 20.50.10.07

Legal Analysis

Background

Net energy metering is the 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. The generating capacity of an eligible customer-generator for net metering may be up to two megawatts.

Aggregation of net-metered loads is the practice of combining meter readings from more than one utility service point. Electric companies can provide this service by using physical interconnection of service points (physical aggregation) or by summing the total usage from two or more meters (virtual aggregation).

Summary of Regulation

This regulation alters which customer-generators are eligible to request meter aggregation for net energy metering to include not-for-profit businesses and county governments.

Legal Issues

The regulation presents no legal issues of concern.

Statutory Authority and Legislative Intent

The Public Service Commission cites §§ 2-113, 2-121, 5-101, 5-303, and 7-306 of the Public Utilities Article as statutory authority for the regulations. Section 2-113 of the Public Utilities Article requires the commission to supervise and regulate the public service companies, ensure their operation in the interest of the public, and prevent unjust discrimination in the delivery of utility services. Section 2-121 states that the commission may adopt reasonable regulations as necessary to carry out any law that relates to the commission. Section 5-101 authorizes the commission to adopt regulations that prescribe standards for safe, adequate, reasonable, and proper service for public service companies. Section 5-303 requires a public service company to furnish equipment, services, and facilities that are safe, adequate, just, reasonable, economical, and efficient, considering the conservation of natural resources and the quality of the environment. Section 7-306 requires the commission to require electric companies to develop a standard contract or tariff for net energy metering and make it available to eligible customer-generators. It also sets forth further requirements for a net energy metering contracts and systems.

This authority is correct and complete. The regulation complies with the legislative intent of the law.

Fiscal Analysis

There is no fiscal impact on State or local agencies.

Agency Estimate of Projected Fiscal Impact

The commission advises that the regulation has minimal or no impact on State or local governments. The regulation is clarifying in nature and reflects existing practice. The Department of Legislative Services concurs.

Impact on Budget

There is no impact on the State operating or capital budget.

Agency Estimate of Projected Small Business Impact

The commission advises that the regulation has minimal or no economic impact on small businesses in the State. The regulation is clarifying in nature and reflects existing practice. The Department of Legislative Services concurs.

Contact Information

Legal Analysis: Georgeanne Carter – (410) 946/(301) 970-5350

Fiscal Analysis: Stephen M. Ross – (410) 946/(301) 970-5510