

CHAPTER 436

(House Bill 1057)

AN ACT concerning

Net Energy Metering – Micro Combined Heat and Power

FOR the purpose of including a customer that uses a certain micro heat and power electric generating facility that meets certain conditions among the list of eligible customer–generators that are eligible for net energy metering; defining a certain term; and generally relating to net energy metering.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–306(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Utility Companies
Section 7–306(b)
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

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

Article – Public Utility Companies

7–306.

- (a) (1) In this section the following words have the meanings indicated.
- (2) “Biomass” means “qualified biomass” as defined in § 7–701 of this title.
- (3) “Eligible customer–generator” means a customer ~~that~~ owns and operates ~~or, leases and operates~~ **USES, OR CONTRACTS WITH A THIRD PARTY THAT OWNS AND OPERATES** a biomass, **MICRO COMBINED HEAT AND POWER**, solar, or wind electric generating facility that:
- (i) is located on the customer’s premises **OR CONTIGUOUS PROPERTY**;

(ii) is interconnected and operated in parallel with an electric company's transmission and distribution facilities; and

(iii) is intended primarily to offset all or part of the customer's own electricity requirements.

(4) "MICRO COMBINED HEAT AND POWER" MEANS THE SIMULTANEOUS OR SEQUENTIAL PRODUCTION OF ~~HEAT AND ELECTRICITY~~ USEFUL THERMAL ENERGY AND ELECTRICAL OR MECHANICAL POWER NOT EXCEEDING 30 KILOWATTS.

[(4)] **(5)** "Net energy metering" means 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.

(b) The General Assembly finds and declares that a program to provide net energy metering for eligible customer-generators is a means to encourage private investment in renewable energy resources, stimulate in-State economic growth, enhance continued diversification of the State's energy resource mix, and reduce costs of interconnection and administration.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2009.

Approved by the Governor, May 7, 2009.