

HOUSE BILL 821

C5

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CF SB 529

By: Delegates Barkley, King, McHale, Taylor, ~~and Vaughn~~ Vaughn, Braveboy, Burns, Davis, Feldman, Haddaway, Harrison, Hecht, Impallaria, Jameson, Kirk, Krysiak, Love, Manno, Mathias, Miller, Minnick, Rudolph, Stifler, and Walkup

Introduced and read first time: February 9, 2010

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 10, 2010

CHAPTER _____

1 AN ACT concerning

2 **Net Energy Metering – Fuel Cell**

3 FOR the purpose of including, among the list of eligible customer–generators that are
4 eligible for net energy metering, a customer that uses a certain fuel cell electric
5 generating facility that meets certain conditions; defining a certain term; and
6 generally relating to net energy metering.

7 BY repealing and reenacting, with amendments,
8 Article – Public Utility Companies
9 Section 7–306(a)
10 Annotated Code of Maryland
11 (2008 Replacement Volume and 2009 Supplement)

12 BY repealing and reenacting, without amendments,
13 Article – Public Utility Companies
14 Section 7–306(b)
15 Annotated Code of Maryland
16 (2008 Replacement Volume and 2009 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **Article – Public Utility Companies**

2 7–306.

3 (a) (1) In this section the following words have the meanings indicated.

4 (2) “Biomass” means “qualified biomass” as defined in § 7–701 of this
5 title.6 (3) “Eligible customer–generator” means a customer that owns and
7 operates, leases and operates, or contracts with a third party that owns and operates a
8 biomass, micro combined heat and power, solar, **FUEL CELL**, or wind electric
9 generating facility that:

10 (i) is located on the customer’s premises or contiguous property;

11 (ii) is interconnected and operated in parallel with an electric
12 company’s transmission and distribution facilities; and13 (iii) is intended primarily to offset all or part of the customer’s
14 own electricity requirements.15 (4) **“FUEL CELL” MEANS AN ELECTRIC GENERATING FACILITY**
16 **THAT:**17 **(I) INCLUDES INTEGRATED POWER PLANT SYSTEMS**
18 **CONTAINING A STACK, TUBULAR ARRAY, OR OTHER FUNCTIONALLY SIMILAR**
19 **CONFIGURATION USED TO ELECTROCHEMICALLY CONVERT FUEL TO ELECTRIC**
20 **ENERGY; AND**21 **(II) MAY INCLUDE:**22 **1. AN INVERTER AND FUEL PROCESSING SYSTEM;**23 **AND**24 **2. OTHER PLANT EQUIPMENT TO SUPPORT THE**
25 **PLANT’S OPERATION OR ITS ENERGY CONVERSION, INCLUDING HEAT RECOVERY**
26 **EQUIPMENT.**27 **(5)** “Micro combined heat and power” means the simultaneous or
28 sequential production of useful thermal energy and electrical or mechanical power not
29 exceeding 30 kilowatts.30 **[(5)] (6)** “Net energy metering” means measurement of the difference
31 between the electricity that is supplied by an electric company and the electricity that

1 is generated by an eligible customer-generator and fed back to the electric company
2 over the eligible customer-generator's billing period.

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

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2010.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.