

Committee: EUT  
LA: DS  
File Name: G:\COMMITTEES\UTE\AMENDMT\128th 2nd\142503.docx  
LR (item)#: 142503  
New Title?: Y  
Add Emergency?: N  
Date: January 27, 2018

**Committee Amendment to LD 1444, An Act Regarding Large-scale Community Solar Procurement – Majority Report**

Amend the bill by striking out the title and substituting the following:

**‘An Act To Prohibit Gross Metering’**

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

**Sec. 1. 35-A MRSA §3209-A, sub-§§ 1 and 2 are enacted as follows:**

**1. Billing based on gross output prohibited.** A customer may not be required to meter the gross output of a facility used for net energy billing purposes in order to participate in net energy billing. Net energy for a net energy billing customer may only be calculated based on the difference between the kilowatt-hours delivered by a transmission and distribution utility to that customer over a single billing period and the kilowatt-hours exported by that customer to the transmission and distribution utility over that same billing period, taking into account accumulated unused kilowatt hour credits from the previous billing period. For the purposes of this subsection, “gross output” means all of the energy generated by a facility used by a net energy billing customer for net energy billing purposes during an applicable period, including all energy that is used to offset the usage of that customer.

**2. Shared interest.** In the service territory of an investor-owned transmission and distribution utility, the number of net energy billing customers that participate in net energy billing through a shared interest or the number of meters associated with a shared interest may not exceed 50. For the purposes of this subsection, “shared interest” means an interest in a facility used for net energy billing purposes shared by multiple net energy billing customers that have distinct billing accounts with an investor-owned transmission and distribution utility. This subsection is repealed on July 1, 2020.

**Sec 2. Rules.** The Public Utilities Commission shall amend its net energy billing rules by October 1, 2018, to conform with Maine Revised Statute, Title 35-A, section 3209-A, subsections 1 and 2. The commission may not make any other changes to rules adopted pursuant Maine Revised Statute, Title 35-A, section 3209-A except as allowed by this section until July 1, 2020.

**SUMMARY**

This is the majority report of the committee, and it replaces the bill. It prohibits a transmission and distribution utility from requiring a customer to meter the gross output of a facility used for net energy billing purposes in order to participate in net energy billing. In the service territory of an investor-owned transmission and distribution utility, it limits the number of net energy billing customers that can participate in net energy billing through a shared interest or the number of meters associated with a shared interest to 50 until July 1, 2020. It requires the Public Utilities Commission to amend its net energy billing rules by October 1, 2018, to conform with Maine Revised Statute, Title 35-A, section 3209-A, subsections 1 and 2. It prohibits the commission from making any other changes to rules adopted pursuant Maine Revised Statute, Title 35-A, section 3209-A until July 1, 2020.