

## State Corporation Commission 2009 Fiscal Impact Statement

**1. Bill Number:** HB2155

House of Origin    \_\_\_    Introduced      X   Substitute    \_\_\_    Engrossed  
Second House         X   In Committee    \_\_\_    Substitute    \_\_\_    Enrolled

**2. Patron:**        Toscano

**3. Committee:** Commerce and Labor

**4. Title:**         **Net energy metering.**

**5. Summary:** Net energy metering. Permits customers that are served on time-of-use tariffs that have electricity supply demand charges contained within the electricity supply portion of the time-of-use tariffs to participate in net energy as eligible customer-generators, but requires such eligible customer-generators to bear any required incremental metering costs. Specifies that an eligible customer-generator owns the renewable energy certificates associated with its electrical generating facility and has a one-time option to sell such certificates to its supplier, at the time that the eligible customer-generator enters into a power purchase agreement with its supplier, and be compensated at an amount that is established by the State Corporation Commission (SCC) to reflect the value of such renewable energy certificates. Makes all costs incurred by the supplier to purchase excess electricity and renewable energy certificates from eligible customer-generators recoverable through the supplier's Renewable Energy Portfolio Standard ("RPS") rate adjustment clause, or in the absence of an SCC-approved RPS plan, all costs are recoverable through the supplier's fuel adjustment clause.

**6. Fiscal Impact Estimates:** Minimal impact – See Item 8

**7. Budget Amendment Necessary:** No

**8. Fiscal Implications:** House Bill 2155 could potentially result in an insignificant reduction in utility consumption tax collections since electric utility billings could be slightly lower to the extent net energy metering activity is increased. The State Corporation Commission will need to conduct a formal proceeding to amend the Net Energy Metering Rules and utility tariffs to reflect the statutory amendments; however, no additional resource requirements are anticipated.

**9. Specific Agency or Political Subdivisions Affected:** None

**10. Technical Amendment Necessary:** No

**11. Other Comments:** None

Date: 2/12/09 T. Lamm

Cc: Secretary of Commerce and Trade