

HB 2608 -- NET METERING

SPONSOR: Knight

This bill requires a retail electric supplier to offer net metering to a customer-generator under a Public Service Commission-approved tariff of an electrical corporation or contract approved by the respective governing body of a rural electric cooperative or a municipally owned electric utility at rates.

A customer-generator must reimburse the retail electric supplier for the costs to purchase and install any necessary additional equipment including necessary electric distribution system upgrades.

Each qualified electric energy generation unit used by a customer-generator must meet and be installed, maintained, and repaired consistent with applicable safety and performance standards. All qualified electric energy generation units utilizing battery backup must be installed to operate completely isolated from the retail electric supplier's system. A retailer electric supplier may require that a customer-generator's system contain adequate surge protection.

In the event that the professional electrician or engineer that installed a qualified electric generation unit to the distribution system is not licensed, the retail electric supplier may require a bond or other form of surety to insure the safe installation and operation of the qualified electric energy generation unit.

The sale of qualified electric energy units to any customer-generator are subject to the laws related to consumer protection. Any interested person who believes that the seller of any qualified electric energy generation unit is misrepresenting the cost savings or investment payback period may report such issue to the Attorney General.

All cost savings or investment payback period calculations made by sellers of qualified electric generation units must be based upon the then-existing electric service rates and avoided cost of the potential or existing customer-generator's retail electric supplier, and if projections for future rate increases are included in the calculation, such projections must be based on that retail electric supplier's then-existing rates and the actual percentage increase in rates averaged over the previous 10-year period.

Misrepresentation of a retail electric supplier's current or projected rates shall constitute an unlawful practice under the laws relating to merchandising practices and the violator is subject to all penalties, remedies, and procedures provided in the law, with such remedies being cumulative. Any person who suffers a loss or harm as a result of such unlawful practice may recover actual and punitive damages, reasonable attorney's fees, court costs, and any other remedies provided by law.

The seller, installer, or manufacturer of any qualified electric

energy generation unit may recover actual and punitive damages, reasonable attorney's fees, court costs, and seek any other remedies provided by law for reason specified in the bill.