

HB 220 -- COMMUNITY SOLAR GARDENS

SPONSOR: Fogle

This bill requires each retail electric supplier to implement a three-year community solar pilot program from 2024 to 2026, which would allow subscriber administrators and owners or operators of community solar facilities to recruit customers as subscribers and process the solar facilities bill credits. Each pilot program must achieve a subscribership equal to 2% of the retail electric supplier's electricity sales for the previous year for each of the three years of the program.

A community solar facility may be built, owned, or operated by a third party entity under contract with an owner or operator of a community solar facility or a subscriber administrator. A subscriber administrator may contract to administer bill credits to the subscriber's electricity bill, generated by the subscriber's share of the community solar facility. The owner or operator of a community solar facility may serve as a subscriber administrator or may contract with a third party to serve as a subscriber administrator on behalf of the owner or operator. The price paid for a subscription in a community solar facility can not be regulated by the Public Service Commission.

No later than nine months after August 28, 2023, the Commission must establish the value of the bill credit for each retail electric supplier to offset each subscriber's retail electric bill for each kilowatt-hour subscribed from a community solar facility. The Commission must establish the bill credit value as specified in the bill, including establishing an additional bill credit value for subscribers who are low-income customers.

The bill requires a retail electric supplier to allow for the transferability and portability of subscriptions. On a monthly basis, a subscriber administrator must update the subscriber administrator's list of subscribers and provide certain information about each subscriber to the retail electric supplier.

Retail electric suppliers must, on a monthly basis, provide to a subscriber administrator a report indicating the total value of the bill credit generated by the community solar facility in the prior month and the amount of the bill credit applied to each subscriber; provide a bill credit to a subscriber's next monthly electric bill for the proportional output of a community solar facility attributable to the subscriber; if requested by a subscriber administrator, include a subscriber's subscription fee on the monthly bill and forward the collected subscription fees to the subscriber administrator on a monthly basis; and no later than one

year after the effective date of the bill, make available and update a system map showing the loading of the distribution system and indicating where in the service territory the distribution system could accommodate new solar generation.

A subscriber administrator must compensate a retail electric supplier for the retail electric supplier's reasonable direct costs of interconnection of a community solar facility. A retail electric supplier is also entitled to recover its costs of complying with the requirements of this bill and enabling a community solar facility within its service territory.

Each community solar facility is required to be subscribed with at least 10% low-income customers and 20% residential customers. A retail electric supplier must purchase unsubscribed energy from a community solar facility at the retail electric supplier's avoided costs. No later than nine months after August 28, 2023, the Commission must establish regulations necessary regarding the purchase of unsubscribed energy.

No entity, affiliated entity, or entities under common control can develop, own, or operate more than one community solar facility on the same parcel or contiguous parcels of land.

Interconnection standards for community solar facilities under 100 kW must be the same as those for customer-generators. For systems larger than 100 kW, the Commission must develop technical and net metering interconnection rules for customer-generators intending to operate community solar facilities or renewable onsite generators in parallel with the electric utility grid, consistent with rules defined in other states within the service region of the regional transmission organization that manages the transmission system in any part of this state. In developing its rules, the Commission will convene a stakeholder process to develop statewide technical and net metering rules for customer generators with systems larger than 100 kW.

This bill is the same as HB 2768 (2022).