

SENATE FILE NO. SF0111

Net metering revisions.

Sponsored by: Senator(s) Case and Driskill and
Representative(s) Larsen, L

A BILL

for

1 AN ACT relating to net metering; revising how net metering
2 compensation applies to new small customer-generators;
3 authorizing the public service commission to authorize a
4 different system of compensation for excess energy
5 production if service is being subsidized by other
6 customers; clarifying how net metering compensation applies
7 to existing small customer-generators; providing
8 definitions; making conforming amendments; requiring
9 rulemaking; and providing for an effective date.

10

11 *Be It Enacted by the Legislature of the State of Wyoming:*

12

13 **Section 1.** W.S. 37-16-105 is created to read:

14

1 **37-16-105. Treatment of new small customer**
2 **generators.**

3
4 (a) Electric utilities shall compensate new small
5 customer-generators in accordance with subsections (b) and
6 (c) of this section.

7
8 (b) The public service commission shall establish an
9 appropriate compensation system to regulate the rates,
10 terms and conditions applied to new small
11 customer-generators by electric utilities for electricity
12 produced by new small customer-generators. The compensation
13 system shall provide for just and reasonable rates, terms
14 and conditions.

15
16 (c) Any cooperative electric utility that is exempt
17 from retail rate regulation by the public service
18 commission under chapter 17, title 37 of the Wyoming
19 statutes shall not be subject to subsection (b) of this
20 section and the board of directors of a cooperative
21 electric utility shall, not later than January 1, 2026,
22 adopt rates, terms and conditions to compensate new small
23 customer-generators and shall:

1

2 (i) Give written notice to all of its member
3 owners, not less than thirty (30) days prior to the
4 effective date of the cooperative's initial rates, terms
5 and conditions regarding compensation of new small
6 customer-generators and of the effective date of any
7 subsequent change to the rates, terms and conditions,
8 including procedures for the cooperative's member owners to
9 comment on proposed rates;

10

11 (ii) Rates, terms and conditions adopted by a
12 cooperative electric utility in accordance with this
13 subsection shall be filed with the commission; and

14

15 (iii) Be subject to the complaint, investigation
16 and resolution process pursuant to W.S. 37-17-104(d) and
17 (e) regarding the rates, terms and conditions adopted by
18 the board to compensate new small customer-generators.

19

20 **Section 2.** W.S. 37-16-101(a)(ii), (vii),
21 (viii)(intro), by creating new paragraphs (ix) and (x) and
22 (b), 37-16-102(a)(i) through (iii), 37-16-103(a)(intro),
23 (ii), (ii), (b) and 37-16-104 are amended to read:

1

2 **37-16-101. Definitions.**

3

4 (a) As used in this chapter unless the context or a
5 specific article otherwise requires:

6

7 (ii) "Small customer-generator" means a user of
8 a ~~net metering~~ customer electrical production system;

9

10 (vii) "Net metering" means measuring the
11 difference between the electricity supplied by an electric
12 utility and the electricity generated by a small
13 customer-generator that is fed back to the electric utility
14 over the applicable billing period;

15

16 (viii) "Net metering system" or "customer
17 electrical production system" means a facility for the
18 production of electrical energy that:

19

20 (ix) "Existing small customer-generator" means a
21 small customer generator that has a customer electrical
22 production system that they owned and operated on or before
23 December 31, 2025;

1

2

(x) "New small customer-generator" means a small customer-generator that:

4

5

(A) Has a customer electrical production system that first operates on or after January 1, 2026;

7

8

(B) Acquires an existing customer electrical production system on or after January 1, 2026;

10

11

(C) Moves an existing customer electrical production system to a new service location on or after January 1, 2026. This subparagraph shall not apply to an existing small customer-generator that is relocating a customer electrical production system within the same service location.

17

18

(b) A person acting as a small customer-generator under this act shall not be considered a "public utility" as defined by W.S. 37-1-101.

21

22

37-16-102. Electric utility requirements.

23

1 (a) An electric utility:

2

3 (i) Shall offer to make available to each of its
4 eligible small customer-generators ~~that has installed a net~~
5 ~~metering system~~ an energy meter that is capable of
6 registering the flow of electricity in two (2) directions;

7

8 (ii) ~~May, at its own expense and with the~~
9 ~~written consent of the customer-generator,~~ install one (1)
10 or more additional meters to monitor the flow of
11 electricity in each direction;

12

13 (iii) Except as otherwise provided in this
14 paragraph, shall not charge ~~a~~ an existing small
15 customer-generator any fee or charge that would increase
16 the existing small customer-generator's minimum monthly
17 charge to an amount greater than that of other customers of
18 the electric utility in the same rate class as the existing
19 small customer-generator.

20

21 **37-16-103. Calculation requirements.**

22

1 (a) Consistent with other provisions of this chapter,
2 the net energy measurement for existing small
3 customer-generators shall be calculated in the following
4 manner:

5
6 (ii) If the electricity supplied by the electric
7 utility exceeds the electricity generated by the ~~customer~~
8 ~~generator~~existing small customer-generator, the existing
9 small customer-generator shall be billed for the
10 appropriate customer charges for that month, in accordance
11 with W.S. 37-16-102;

12
13 (iii) If the electricity supplied by the
14 existing small customer-generator exceeds that supplied by
15 the electric utility, the existing small customer-generator
16 shall be credited ~~or compensated~~ for the excess
17 kilowatt-hours generated during the month with the
18 kilowatt-hour credit or compensation appearing on the bill
19 for the following month for all metered locations of
20 existing small customer-generators supplied by the electric
21 utility.

22

1 (b) ~~At the beginning of each calendar year~~ Annually,
2 at a date set by the electric utility, any remaining unused
3 kilowatt-hour credit accumulated during the previous year
4 shall be sold to the electric utility, at the electric
5 utility's filed avoided cost.

6

7 **37-16-104. Safety and performance requirements.**

8

9 (a) A net metering system or customer electrical
10 production system used by a small customer-generator shall
11 meet all applicable safety and performance standards
12 established by the national electrical code, the institute
13 of electrical and electronics engineers and underwriters
14 laboratories.

15

16 (b) The small customer-generator shall at its expense
17 provide lockable, switching equipment capable of isolating
18 the ~~net metering facility~~ customer electrical production
19 system from the electric utility's system. Such equipment
20 shall be approved by the electric utility and shall be
21 accessible by the electric utility at all times.

22

1 (c) The electric utility shall not be liable directly
2 or indirectly for permitting or continuing to allow an
3 attachment of a ~~net metering facility~~ customer electrical
4 production system, or for acts or omissions of the small
5 customer-generator that cause loss or injury, including
6 death, to any third party.

7

8 (d) The small customer-generator is responsible for
9 all costs associated with its facility and is also
10 responsible for all costs related to any modifications to
11 the facility that may be required by the electric utility
12 for ~~purposes of~~ safety and reliability.

13

14 (e) The commission, after appropriate notice and
15 opportunity for comment, may adopt by regulation additional
16 control and testing requirements for small
17 customer-generators that the commission determines are
18 necessary ~~to protect public~~ for safety and ~~system~~
19 reliability.

20

21 **Section 3.** The public service commission of Wyoming
22 shall conduct public hearings related to the implementation
23 of the compensation system for electricity produced from

1 new small customer-generators and shall adopt rules
2 necessary to implement the system as provided in W.S.
3 37-16-105(b) not later than December 31, 2025. Any
4 cooperative electric utility that is exempt from retail
5 rate regulation by the public service commission under
6 chapter 17, title 37 of the Wyoming statutes shall adopt
7 rates, terms and conditions to compensate small
8 customer-generators as provided in W.S. 37-16-105(c) not
9 later than January 1, 2026.

10

11 **Section 4.** This act is effective immediately upon
12 completion of all acts necessary for a bill to become law
13 as provided by Article 4, Section 8 of the Wyoming
14 Constitution.

15

16

(END)