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INTRODUCTION

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HOUSE BILL NO.

Customer generated electricity systems.

Sponsored by: Representative(s) Eyre

A BILL

for

1 AN ACT relating to public utilities; modifying the net

2 metering article; amending definitions; providing

3 additional authority to electric utilities as specified;

4 amending payment processes as specified; and providing for

5 an effective date.

6

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

8

9 **Section 1.** W.S. 37-16-101(a)(intro), (ii),

10 (viii)(intro) and (B), 37-16-102(a)(i) and by creating new

11 paragraphs (iv) and (v), 37-16-103(a)(intro) and by

12 creating a new paragraph (iv), (b) and by creating a new

1   subsection (c) and 37-16-104(a) through (c) are amended to

2   read:

3

4   ARTICLE 1

5   CUSTOMER GENERATED ELECTRICITY SYSTEMS

6

7   **37-16-101. Definitions.**

8

9   (a) As used in this ~~chapter unless the context or a~~

10 ~~specific~~ article: ~~otherwise requires:~~

11

12   (ii) "Customer-generator" means ~~a user of a net~~

13 ~~metering~~ a person or entity with a customer generated

14 electricity system installed, other than an electric

15 utility;

16

17   (viii) "~~Net   metering~~ Customer   generated

18 electricity system" means a facility for the production of

19 electrical energy that:

20

21   (B) Has a generating capacity of not more

22 than twenty-five (25) kilowatts, except as otherwise

23 provided by W.S. 37-16-102(a)(v);

1

2   **37-16-102. Electric utility requirements.**

3

4   (a) An electric utility:

5

6   (i) Shall offer to make available to each of its

7 eligible customer-generators that has installed a ~~net~~

8 ~~metering~~ customer generated electricity system an energy

9 meter that is capable of registering the flow of

10 electricity in two (2) directions;

11

12   (iv) May enter into a contract with a customer-

13 generator consistent with the provisions of this article

14 relating to the use, maintenance, cost, payment or any

15 other feature of the customer generated electricity system;

16

17   (v) May authorize a customer-generator to use a

18 customer generated electricity system that has a generating

19 capacity of more than twenty-five (25) kilowatts. If an

20 electric utility authorizes the use of a customer generated

21 electricity system under this paragraph then all terms and

22 conditions regarding use and operation of the system shall

1   be   provided   for   in   a   contract   between   the

2   customer-generator and the electric utility.

3

4   **37-16-103.   Calculation requirements.**

5

6   (a)   ~~Consistent with other provisions of this chapter,~~

7   Until June 30, 2031, for customer generated electricity

8   systems made operational prior to July 1, 2021 and that

9   have not changed ownership on or after July 1, 2021, the

10 net energy measurement shall be calculated in the following

11 manner:

12

13   (iv)   The calculation shall be consistent with

14 other provisions of this article.

15

16   (b)   ~~At the beginning of each calendar year~~ For

17 customer   generated   electricity   systems   subject   to

18 subsection (a) of this section and for all customer

19 generated electricity systems after June 30, 2031, at the

20 end of a period not to exceed twelve (12) months, as

21 selected by the electric utility, any remaining unused

22 kilowatt-hour credit accumulated during the previous ~~year~~

1   period shall be sold to the electric utility, at the

2   electric utility's filed avoided cost.

3

4   (c) For customer generated electricity systems not

5   subject to subsection (a) of this section the energy

6   measurement shall be calculated in the following manner:

7

8   (i)   The electric utility shall measure the

9   electricity produced and consumed during the billing

10   period, in accordance with normal metering practices;

11

12   (ii) The customer-generator shall pay the retail

13   rate to the electric utility for all energy consumed from

14   the electric utility during the billing period;

15

16   (iii) The   electric   utility   shall   pay   the

17   customer-generator the electric utility's avoided cost rate

18   for all energy produced by the customer-generator and

19   delivered back to the electric utility during the billing

20   period. The customer-generator shall be credited or

21   compensated for the excess kilowatt-hours generated during

22   a billing period with the kilowatt-hour credit or

1   compensation appearing on the customer-generator's bill for

2   the following billing period;

3

4   (iv)   The calculation shall be consistent with

5   other provisions of this article.

6

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

8

9   (a)   A ~~net metering~~ customer generated electricity

10   system   used   by   a   customer-generator   shall   meet   all

11   applicable safety and performance standards established by

12   the national electrical code, the institute of electrical

13   and electronics engineers and underwriters laboratories.

14

15   (b)   The   customer-generator   shall   at   its   expense

16   provide lockable, switching equipment capable of isolating

17   the ~~net metering facility~~ customer generated electricity

18   system from the electric utility's system. Such equipment

19   shall be approved by the electric utility and shall be

20   accessible by the electric utility at all times.

21

22   (c)   The electric utility shall not be liable directly

23   or indirectly for permitting or continuing to allow an

1 attachment of a ~~net metering facility~~ customer generated

2 electricity system, or for acts or omissions of the

3 customer-generator that cause loss or injury, including

4 death, to any third party.

5

6   **Section 2**. W.S. 37-16-101(a)(vii) is repealed.

7

8 ***
9   **STAFF COMMENT**
10 **The italicized language would be repealed by Section 2 of**
11 **this act:**
12
13 **37-16-101. Definitions.**
14
15   **(a) As used in this chapter unless the context or a**
16 **specific article otherwise requires:**
17
18   ***(vii) "Net metering" means measuring the***
19 ***difference between the electricity supplied by an electric***
20 ***utility and the electricity generated by a customer-***
21 ***generator that is fed back to the electric utility over the***
22 ***applicable billing period;***
23
24 **
25
26   **Section 3.** This act is effective July 1, 2021.

27

28   (END)