

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

A Bill

SENATE BILL 592

5 By: Senator D. Johnson
6 By: Representative Tucker
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAWS CONCERNING NET METERING; TO
10 ALLOW COMMUNITY NET METERING; AND FOR OTHER PURPOSES.
11

Subtitle

12
13 TO AMEND THE LAWS CONCERNING NET
14 METERING; AND TO ALLOW COMMUNITY NET
15 METERING.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 23-18-603 is amended to read as follows:
22 23-18-603. Definitions.

23 As used in this subchapter:

24 (1) "Commission" means the Arkansas Public Service Commission or
25 other appropriate governing body for an electric utility ~~as defined in~~
26 ~~subdivision (2) of this section;~~

27 (2) "Community" means a geographic area within a municipality
28 that:

29 (A) Is recognized by the residents of the area as
30 including a unique community of interests;

31 (B) Falls within the service territory of a single
32 electric utility and within a single load zone; and

33 (C) May encompass residential, commercial, and undeveloped
34 properties;

35 (3) "Community net-metering facility" means a net-metering
36 facility that:



1 (A) Is owned by or serves the energy needs of two (2) or
 2 more net-metering customers that reside in a single community and are served
 3 by a single electric utility;

4 (B) May be owned by or serve the needs of other customers
 5 that reside in the same community and are served by the same electric utility
 6 as the net-metering customers that own or are served by the net-metering
 7 facility; and

8 (C) Is located within the same community as the customers
 9 that own or are served by the net-metering facility;

10 ~~(2)~~ (4) “Electric utility” means a public or investor-owned
 11 utility, an electric cooperative, a municipal utility, or any a private power
 12 supplier or marketer that is engaged in the business of supplying electric
 13 energy to the ultimate consumer or any customer classes within the state;

14 ~~(3)~~ (5) “Net excess generation” means the amount of electricity
 15 that a net-metering customer has fed back to the electric utility that
 16 exceeds the amount of electricity used by that customer during the applicable
 17 period;

18 ~~(4)~~ (6) “Net metering” means measuring the difference between
 19 electricity supplied by an electric utility and the electricity generated by
 20 a net-metering customer and fed back to the electric utility over the
 21 applicable billing period;

22 ~~(5)~~ (7) “Net-metering customer” means an:

23 (A) An owner or lessee of a net-metering facility; and

24 (B) Collectively, the owners and customers served by a
 25 community net-metering facility;

26 ~~(6)~~ (8) “Net-metering facility” means a facility for the
 27 production of electrical energy that:

28 (A) Uses solar, wind, hydroelectric, geothermal, or
 29 biomass resources to generate electricity, including, ~~but not limited to,~~
 30 without limitation fuel cells and micro turbines that generate electricity if
 31 the fuel source is entirely derived from renewable resources;

32 (B) Has a generating capacity of not more than ~~twenty-five~~
 33 ~~kilowatts (25 kW) for residential use or three hundred kilowatts (300 kW)~~
 34 ~~for any other use~~ one hundred twenty percent (120%) of the net-metering
 35 customer’s requirements for electricity;

36 (C) Is located in Arkansas;

1 (D) Can operate in parallel with an electric utility's
2 existing transmission and distribution facilities; and

3 (E) Is intended primarily to offset part or all of the
4 net-metering customer requirements for electricity; and

5 ~~(7)~~ (9) "Renewable energy credit" means the environmental,
6 economic, and social attributes of a unit of electricity, such as a megawatt
7 hour, generated from renewable fuels that can be sold or traded separately.
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9 SECTION 2. Arkansas Code § 23-18-604(a), concerning the authority of
10 the Arkansas Public Service Commission as it relates to net metering, is
11 amended to read as follows:

12 (a) An electric utility shall allow ~~net-metering facilities~~ a net-
13 metering facility or community net-metering facility to be interconnected
14 using a standard meter capable of registering the flow of electricity in two
15 (2) directions.
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17 SECTION 3. Arkansas Code § 23-18-604(b)(5), concerning the authority
18 of the Arkansas Public Service Commission as it relates to net metering, is
19 amended to read as follows:

20 (5) May increase the peak limits for an individual net-metering
21 ~~facilities~~ facility or community net-metering facility if doing so results in
22 distribution system, environmental, or public policy benefits; and
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