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HOUSE BILL 2773

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State of Washington                      55th Legislature                      1998 Regular Session

By Representatives Poulsen, Crouse, Morris, Cooper and Constantine

Read first time 01/20/98. Referred to Committee on Energy & Utilities.

1            AN ACT Relating to net metering for certain renewable energy  
2 systems; and adding a new chapter to Title 80 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            NEW SECTION.    **Sec. 1.**    The legislature finds that it is in the  
5 public interest to:

- 6            (1) Encourage private investment in renewable energy resources;  
7            (2) Stimulate the economic growth of this state; and  
8            (3) Enhance the continued diversification of the energy resources  
9 used in this state.

10           NEW SECTION.    **Sec. 2.**    The definitions in this section apply  
11 throughout this chapter unless the context clearly indicates otherwise.

- 12            (1) "Commission" means the utilities and transportation commission.  
13            (2) "Customer-generator" means a user of a net metering system.  
14            (3) "Electrical company" means a company owned by investors that  
15 meets the definition of RCW 80.04.010.  
16            (4) "Electric cooperative" means a cooperative or association  
17 organized under chapter 23.86 or 24.06 RCW.

1 (5) "Electric utility" means any electrical company, public utility  
2 district, irrigation district, port district, electric cooperative, or  
3 municipal electric utility that is engaged in the business of  
4 distributing electricity to retail electric customers in the state.

5 (6) "Irrigation district" means an irrigation district under  
6 chapter 87.03 RCW.

7 (7) "Municipal electric utility" means a city or town that owns or  
8 operates an electric utility authorized by chapter 35.92 RCW.

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

13 (9) "Net metering system" means a facility for the production of  
14 electrical energy that:

15 (a) Uses as its fuel either solar, wind, or hydropower;

16 (b) Has a generating capacity of not more than twenty-five  
17 kilowatts;

18 (c) Is located on the customer-generator's premises;

19 (d) Operates in parallel with the electric utility's transmission  
20 and distribution facilities; and

21 (e) Is intended primarily to offset part or all of the customer-  
22 generator's requirements for electricity.

23 (10) "Port district" means a port district within which an  
24 industrial development district has been established as authorized by  
25 Title 53 RCW.

26 (11) "Public utility district" means a district authorized by  
27 chapter 54.04 RCW.

28 NEW SECTION. **Sec. 3.** An electric utility:

29 (1) Shall offer to make available to each of its eligible customer-  
30 generators that has installed a net metering system an energy meter  
31 that is capable of registering the flow of electricity in two  
32 directions;

33 (2) May, at its own expense and with the written consent of the  
34 customer-generator, install one or more additional meters to monitor  
35 the flow of electricity in each direction;

36 (3) Shall not charge a customer-generator any fee or charge that  
37 would increase the customer-generator's minimum monthly charge to an

1 amount greater than that of other customers of the electric utility in  
2 the same rate class as the customer-generator.

3 NEW SECTION. **Sec. 4.** Consistent with the other provisions of this  
4 chapter, the net energy measurement must be calculated in the following  
5 manner:

6 (1) The electric utility shall measure the net electricity produced  
7 or consumed during the billing period, in accordance with normal  
8 metering practices.

9 (2) If the electricity supplied by the electric utility exceeds the  
10 electricity generated by the customer-generator and fed back to the  
11 electric utility during the billing period, the customer-generator  
12 shall be billed for the net electricity supplied by the electric  
13 utility, in accordance with normal metering practices.

14 (3) If electricity generated by the customer-generator exceeds the  
15 electricity supplied by the electric utility, the customer-generator:

16 (a) Shall be billed for the appropriate customer charges for that  
17 month, in accordance with section 3 of this act; and

18 (b) Shall be credited for the excess kilowatt-hours generated  
19 during the month, with this kilowatt-hour credit appearing on the bill  
20 for the following month.

21 At the beginning of each calendar year, any remaining unused  
22 kilowatt-hour credit accumulated during the previous year shall be sold  
23 to the electric utility, at the wholesale power rate.

24 NEW SECTION. **Sec. 5.** (1) A net metering system used by a  
25 customer-generator shall meet all applicable safety and performance  
26 standards established by the national electrical code, the institute of  
27 electrical and electronics engineers, and underwriters laboratories.

28 (2) The commission, after appropriate notice and opportunity for  
29 comment, may adopt by regulation additional control and testing  
30 requirements for customer-generators that the commission determines are  
31 necessary to protect public safety and system reliability.

32 NEW SECTION. **Sec. 6.** Sections 1 through 5 of this act constitute  
33 a new chapter in Title 80 RCW.

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