

Amendment to SB 449-FN

1 Amend the title of the bill by replacing it with the following:

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3 AN ACT relative to relative to the participation of large customer-generators in net metering
4 and relative to energy storage in connection with net metering.

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6 Amend the bill by replacing all after the enacting clause with the following:

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8 1 Limited Electrical Energy Producers Act; Definition; Eligible Customer Generator. RSA 362-
9 A:1-a, II-b is repealed and reenacted to read as follows:

10 II-b. "Eligible customer-generator" or "customer-generator" means an electric utility
11 customer who owns, operates, or purchases power from an electrical generating facility either
12 powered by renewable energy or which employs a heat led combined heat and power system, with a
13 total peak generating capacity, or maximum nameplate rating, of up to and including one megawatt,
14 except as provided for a municipal host as defined in paragraph 11-c and as provided for an
15 industrial customer as defined in paragraph 11-g, that is located behind a retail meter on the
16 customer's premises, provided it is interconnected and operates in parallel with the electric grid, and
17 is used to offset the customer's own electricity requirements. Energy storage, as defined in RSA 374-
18 H:1, III, may be added to and charged solely from such a generation facility without affecting the
19 generation facility's size determination relating to its eligibility meter. Incremental generation
20 added to an existing generation facility, that does not itself qualify for net metering, shall qualify if
21 such incremental generation meets the qualifications of this paragraph and is metered separately
22 from the non-qualifying facility.

23 2 New Paragraph; Definition; Industrial Customer. Amend RSA 362-A:1-a by inserting after
24 paragraph II-f the following new paragraph:

25 II-g. "Industrial customer" means a customer generator with a total peak generating
26 capacity of greater than one megawatt and less than 5 megawatts used to offset the electricity
27 requirements of one industrial entity with one or more accounts, provided that all accounts are
28 located within the same utility franchise service territory. In the event of excess annual generation
29 by the industrial customer above the industrial customer's annual electricity use, such net excess
30 exported generation shall be subject to the payment adjustment process within the Puc 900 rules.

31 3 New Paragraph; Net Metering. Amend RSA 362-A:9 by inserting after paragraph II the
32 following new paragraph:

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1 II-a. Each electric distribution utility shall make available alternative tariffs for net
2 metering to eligible customer-generators in accordance with Order No. 26,029 dated June 23, 2017,
3 and the net metering rules adopted by the commission. Any eligible customer-generator that has
4 submitted an interconnection application to a distribution utility on or before December 31, 2031 and
5 that is used to offset the electricity requirements of an industrial customer that first receives
6 compensation under an Order No. 26,029 alternative tariff shall remain eligible to receive that tariff
7 for the longer of 20 years from the first year in which compensation is received, or until January 1,
8 2040. If, during these terms, the commission adopts new net metering tariffs through an
9 adjudicated proceeding, any eligible customer-generator that has submitted an interconnection
10 application to a distribution utility on or before December 31, 2031 and that is used to offset the
11 electricity requirements of an industrial customer that elects to participate in a new net metering
12 tariff shall be eligible to receive that tariff until the date that is 20 years from the first date on which
13 the eligible customer-generator received net metering compensation. Eligible customer-generators
14 on an Order No. 26,029 alternative tariff may opt to transition to a new net metering tariff
15 established in such a proceeding, provided however, once a customer-generator transitions to a new
16 tariff, they may not revert to an Order No. 26,029 alternative tariff. Upon expiration of eligibility
17 under an Order No. 26,029 alternative tariff, an eligible customer generator may transition to the
18 tariff available at that time.

19 4 New Paragraph; Customer Energy Storage Definitions. Amend RSA 374-H:1 by inserting
20 after paragraph II the following new paragraph:

21 II-a. "Department" means the department of energy.

22 5 Customer Energy Storage Systems. Amend the introductory paragraph for RSA 374-H:2, I to
23 read as follows:

24 I. The ~~commission~~department shall adopt rules ~~[or approve tariffs]~~ clarifying policy for the
25 installation~~]~~ **and** interconnection~~[, and use]~~ of energy storage systems by customers of utilities,
26 ***while the commission may approve tariffs and issue orders in adjudicated proceedings***
27 ***that are consistent with such rules and pertain to the use of and utility compensation for***
28 ***such energy storage systems. The department and the commission*** ~~[and]~~ shall incorporate the
29 following principles into the rules ~~[or approved tariffs]~~**and orders, respectively:**

30 6 New Paragraph; Net Metering. Amend RSA 362-A:9 by inserting after paragraph XXIII the
31 following new paragraph:

32 XXIV. The PUC may determine terms and conditions for how a customer-generator may use
33 and be compensated for exports to the grid for energy storage added to and charged solely from
34 renewable energy generation sources in conjunction with net metering and related tariff provisions.

35 7 Effective Date. This act shall take effect 60 days after its passage.

2026-1000s

AMENDED ANALYSIS

This bill:

I. Directs electric distribution utilities to make available alternative tariffs for net metering to eligible customer-generators in accordance with PUC Order 26,029 and net metering rules adopted by the commission.

II. Authorizes energy storage in connection with net metering and directs the department of energy to adopt rules relative to the installation and interconnection of such energy storage systems.