SB 449-FN - AS AMENDED BY THE SENATE

03/12/2026 1000s

2026 SESSION

26-2027
06/05

SENATE BILL ***449-FN***

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

SPONSORS: Sen. Lang, Dist 2; Sen. Rosenwald, Dist 13; Sen. Watters, Dist 4; Sen. Innis, Dist 7; Sen. McGough, Dist 11; Sen. Avard, Dist 12; Sen. Pearl, Dist 17; Sen. Rochefort, Dist 1; Sen. Gannon, Dist 23; Sen. Ricciardi, Dist 9; Sen. Abbas, Dist 22; Rep. Moffett, Merr. 4

COMMITTEE: Energy and Natural Resources

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.

- -

Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

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

Be it Enacted by the Senate and House of Representatives in General Court convened:

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 RSA 362-A:1-a, II-b is repealed and reenacted to read as follows:

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

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

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

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

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

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

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

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

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

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

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

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

LBA
26-2027
04/03/2026

SB 449-FN- FISCAL NOTE

AS AMENDED BY THE SENATE (AMENDMENT # 2026-1000s)

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

FISCAL IMPACT:

The Office of Legislative Budget Assistant is unable to complete a fiscal note for this bill as it is awaiting information from the Department of Energy. The Department was initially contacted on 03/18/2026 for a fiscal note worksheet, with follow-up contact made on 03/30/2026. When completed, the fiscal note will be forwarded to the Senate Clerk's Office.

AGENCIES CONTACTED:

Department of Energy