

Rep. Cormen, Graf. 15
Rep. McGhee, Hills. 35
April 10, 2026
2026-1439h
04/05

Amendment to SB 449-FN

1 Amend the bill by replacing section 1 with the following:

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3 1 Limited Electrical Energy Producers Act; Definition; Eligible Customer Generator. RSA 362-
4 A:1-a, II-b is repealed and reenacted to read as follows:

5 II-b. "Eligible customer-generator" or "customer-generator" means an electric utility
6 customer who owns, operates, or purchases power from an electrical generating facility either
7 powered by renewable energy or which employs a heat led combined heat and power system, with a
8 total peak generating capacity, or maximum nameplate rating, of up to and including one megawatt,
9 except as provided for a municipal host as defined in paragraph II-c or as provided for an industrial
10 customer as defined in paragraph II-g, that is located behind a retail meter on the customer's
11 premises, is interconnected and operates in parallel with the electric grid, and is used to offset the
12 customer's own electricity requirements. Energy storage, as defined in RSA 374-H:1, III, may be
13 added to such a generation facility without affecting the generation facility's size determination
14 relating to its eligibility to net meter. Such energy storage, if configured to allow electricity to be
15 exported to the grid, shall be charged only from such generation facility, except as provided for in
16 RSA 362-A:9, XXIV. Incremental generation added to an existing generation facility, that does not
17 itself qualify for net metering, shall qualify if such incremental generation meets the qualifications
18 of this paragraph and is metered separately from the non-qualifying facility.

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20 Amend the bill by replacing section 6 with the following:

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22 6 New Paragraph; Net Metering. Amend RSA 362-A:9 by inserting after paragraph XXIII the
23 following new paragraph:

24 XXIV. The commission may determine terms and conditions for how a customer-generator
25 may use and be compensated for exports to the grid from energy storage added to renewable energy
26 generation sources in conjunction with net metering and related tariff provisions. The commission
27 shall require such energy storage, if configured to allow electricity to be exported to the grid, to be
28 charged only from such generation facility, unless charging is under the control of an entity other
29 than the customer-generator or as otherwise authorized by the commission in an adjudicated
30 proceeding.

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AMENDED ANALYSIS

This bill:

I. Revises the definition of "eligible customer-generator" to allow renewable or heat-led CHP systems up to one megawatt, permit associate energy storage, and allow separately metered incremental generation to qualify and establishes a definition of "industrial customer" with generating capacity between one and 5 megawatts and specifies the treatment of excess annual generation.

II. Directs electric distribution utilities to make available alternative tariffs for net metering in accordance with PUC Order 26,029 and establishes tariff-transition provisions for industrial customer-generators submitting interconnection applications before December 31, 2031.

III. Directs the department of energy to adopt rules for the installation and interconnection of customer energy storage systems.

IV. Authorizes the public utilities commission to determine terms and conditions for the use of and compensation for exports to the grid from energy storage paired with renewable generation under net metering, and requires the commission to impose charging-source restrictions for such storage unless otherwise authorized.