

By: Leibowitz, Strama, Anchia, Coleman

H.B. No. 1415

A BILL TO BE ENTITLED

AN ACT

relating to crediting public schools for the value of electricity generated by solar panels on public school building rooftops.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 39.002, Utilities Code, is amended to read as follows:

Sec. 39.002. APPLICABILITY. This chapter, other than Sections 39.155, 39.157(e), 39.203, 39.903, ~~[and]~~ 39.904, and 39.911, does not apply to a municipally owned utility or an electric cooperative. Sections 39.157(e), 39.203, and 39.904, however, apply only to a municipally owned utility or an electric cooperative that is offering customer choice. If there is a conflict between the specific provisions of this chapter and any other provisions of this title, except for Chapters 40 and 41, the provisions of this chapter control.

SECTION 2. Subchapter Z, Chapter 39, Utilities Code, is amended by adding Section 39.911 to read as follows:

Sec. 39.911. CREDIT FOR SURPLUS SOLAR GENERATION BY PUBLIC SCHOOLS. (a) An electric utility, retail electric provider, municipally owned utility, or electric cooperative shall provide for net metering and contract with an independent school district so that:

(1) surplus electricity produced by a school building's solar electric generation panels is made available for

1 sale to the electric transmission grid and distribution system; and

2 (2) the net value of that surplus electricity is  
3 credited to the district.

4 (b) For areas of this state in which customer choice has not  
5 been introduced, the commission by rule shall require that credits  
6 for electricity produced by a school building's solar electric  
7 generation panels reflect the value of the electricity that is made  
8 available for sale to the electric utility in accordance with  
9 federal regulations.

10 (c) For independent school districts in areas in which  
11 customer choice has been introduced, the district must sell the  
12 school buildings' surplus electricity produced to the retail  
13 electric provider, municipally owned utility, or electric  
14 cooperative that serves the school district's load at a value  
15 agreed to between the district and the provider that serves the  
16 district's load. The agreed value may be based on the clearing  
17 price of energy at the time of day that the electricity is made  
18 available to the grid. The independent organization identified in  
19 Section 39.151 shall develop procedures so that the amount of  
20 electricity purchased from a district under this section is  
21 accounted for in settling the total load served by the provider that  
22 serves the district's load. A district requesting net metering  
23 services for purposes of this section must have metering devices  
24 capable of providing measurements consistent with the independent  
25 organization's settlement requirements.

26 (d) A transmission and distribution utility shall make  
27 available to an independent school district for purposes of this

1 section metering required for services provided under this section,  
2 including separate meters that measure the load and generator  
3 output or a single meter capable of measuring separately in-flow  
4 and out-flow at the point of common coupling meter point. The  
5 district must pay the differential cost of the metering unless the  
6 meters are provided at no additional cost. Except as provided by  
7 this section, Section 39.107 applies to metering under this  
8 section.

9 SECTION 3. This Act takes effect September 1, 2007.