

By: Burnam

H.B. No. 3895

A BILL TO BE ENTITLED

AN ACT

relating to the interconnection of a customer's renewable energy system to a utility's electric transmission and distribution system.

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

SECTION 1. Chapter 35, Utilities Code, is amended by adding Subchapter E to read as follows:

SUBCHAPTER E. CUSTOMER-GENERATORS

Sec. 35.151. DEFINITIONS. In this subchapter:

(1) "Customer-generator" means an owner of a renewable energy system that is interconnected to an electric utility's transmission and distribution system.

(2) "Net energy meter" means a meter that measures the difference between the electricity supplied to the customer-generator and the electricity generated by a customer-generator and fed back to the transmission and distribution system.

(3) "Renewable energy system" means a device that uses solar or wind resources to generate electricity.

Sec. 35.152. INTERCONNECTION OF RENEWABLE ENERGY SYSTEM.

(a) An electric utility shall allow a renewable energy system to be interconnected with the utility's transmission and distribution system using a net energy meter.

(b) A customer-generator shall grant surplus electricity

1 produced by the customer-generator's renewable energy system to the
2 electric utility.

3 Sec. 35.153. NET ENERGY METER. (a) An electric utility
4 shall supply and install, at no cost to the customer-generator, a
5 net energy meter that is capable of registering the flow of
6 electricity in two directions.

7 (b) The customer is responsible for the cost of any
8 subsequent meter changes.

9 Sec. 35.154. CREDIT FOR ELECTRICITY GENERATED BY RENEWABLE
10 ENERGY SYSTEM. (a) An electric utility may charge the
11 customer-generator for electricity supplied during the billing
12 period only if the amount of electricity supplied exceeds the
13 amount of electricity provided by the customer-generator.

14 (b) A transmission and distribution utility shall charge a
15 customer-generator for the net electricity supplied at the same
16 rate applicable to service provided to other customers in the same
17 service class. A utility may not charge a customer-generator a fee
18 or charge that would increase the customer-generator's minimum
19 monthly charge to an amount greater than that of other customers in
20 the same rate class.

21 (c) The electric utility shall provide to the
22 customer-generator a credit for any amount of electricity provided
23 by a customer-generator during the billing period that exceeds the
24 amount of electricity used. The amount of the credit must be equal
25 to the total amount the utility would have charged the customer if
26 the utility had provided the power.

27 (d) The electric utility shall pay the customer-generator

1 for a credit within 90 days by either applying the credit to the
2 customer-generator's utility bills or paying the
3 customer-generator an amount equal to the credit.

4 (e) An electric utility shall clearly state on a
5 customer-generator's bill:

6 (1) the kilowatt hours of electricity provided by the
7 utility to the customer-generator;

8 (2) the kilowatt hours of electricity provided to the
9 utility by the customer-generator; and

10 (3) the value of the electricity provided under
11 Subdivisions (1) and (2) as determined under Subsections (b) and
12 (c).

13 Sec. 35.155. ADMINISTRATIVE FEE. (a) An electric utility
14 may charge a customer-generator an administrative fee of not more
15 than \$10 each calendar month for the cost of administering this
16 subchapter.

17 (b) An electric utility may charge the administrative fee
18 regardless of whether the customer-generator's electricity use
19 exceeds the amount of electricity provided by the
20 customer-generator.

21 Sec. 35.156. VIOLATIONS. (a) If the commission receives
22 notice of a suspected violation of this subchapter, the commission
23 shall notify the attorney general.

24 (b) The attorney general shall investigate any report of a
25 suspected violation of this subchapter.

26 (c) The attorney general may inspect an electric utility's
27 records and accounts at any time, with or without notice, to ensure

1 compliance with this subchapter.

2 (d) The attorney general may bring an action to enforce this
3 subchapter or to enjoin a violation of this subchapter.

4 SECTION 2. This Act takes effect September 1, 2007.