

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO.

Customer generated electricity systems.

Sponsored by: Joint Corporations, Elections & Political
Subdivisions Interim Committee

A BILL

for

1 AN ACT relating to public utilities; modifying the net
2 metering article; amending definitions; providing additional
3 authority to electric utilities as specified; amending
4 payment processes as specified; sunseting provisions; and
5 providing for an effective date.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

8

9 **Section 1.** W.S. 37-16-105 is created to read:

10

11 **37-16-105. Sunset.**

12

1 This article is repealed effective June 30, 2030.

2

3 **Section 2.** W.S. 37-16-101(a)(intro), (ii),
4 (viii)(intro), (B) through (D), 37-16-102(a)(i) and by
5 creating new paragraphs (iv) and (v), 37-16-103(a)(intro) and
6 by creating a new paragraph (iv), (b) and by creating a new
7 subsection (c) and 37-16-104(a) through (c) are amended to
8 read:

9

10 ARTICLE 1 - CUSTOMER ELECTRICITY GENERATION SYSTEM

11

12 **37-16-101. Definitions.**

13

14 (a) As used in this ~~chapter unless the context or a~~
15 ~~specific article; otherwise requires:~~

16

17 (ii) "Customer-generator" means ~~a user of a net~~
18 ~~metering~~ a person or entity with an electric generation system
19 installed other than an electric utility;

20

21 (viii) "~~Net metering~~ Customer generated
22 electricity system" means a facility for the production of
23 electrical energy that:

1

2

(B) Has a generating capacity of not more
than twenty-five (25) kilowatts, except as otherwise provided
by W.S. 37-16-102(a)(v);

5

6

(C) Is located on the customer-generator's
premises; and

8

9

(D) Operates in parallel with the electric
utility's transmission and distribution facilities. ~~and~~

11

37-16-102. Electric utility requirements.

13

(a) An electric utility:

15

(i) Shall offer to make available to each of its
eligible customer-generators that has installed a ~~net~~
~~metering~~ customer generated electricity system an energy
meter that is capable of registering the flow of electricity
in two (2) directions;

21

(iv) May enter into a contract with a customer-
generator consistent with the provisions of this article

23

relating to the use, maintenance, cost, payment or any other
feature of the customer generated electricity system provided
that the contract does not impose costs on other customers;

(v) May authorize a customer-generator to use a
customer generated electricity system that has a generating
capacity of more than twenty-five (25) kilowatts. If an
electric utility authorizes the use of a customer generated
electricity system under this paragraph then all terms and
conditions regarding use and operation of the system shall be
provided for in a contract between the customer-generator and
the electric utility.

STAFF COMMENT
It is a question for the committee below what stage of
installation shall be grandfathered in. i.e. planned
systems, systems under construction or installed system,
see below.

37-16-103. Calculation requirements.

(a) ~~Consistent with other provisions of this chapter,~~
Until June 30, 2030, for customer generated electricity
systems [installation stage] prior to July 1, 2020 and that

1 have not changed ownership on or after July 1, 2020, the net
2 energy measurement shall be calculated in the following
3 manner:

4
5 (iv) The calculation shall be consistent with
6 other provisions of this article.

7
8 (b) For customer generated electricity systems subject
9 to subsection (a) of this section, and for all customer
10 generated electricity systems after June 30, 2030, at the
11 beginning of each calendar year, any remaining unused
12 kilowatt-hour credit accumulated during the previous year
13 shall be sold to the electric utility, at the electric
14 utility's filed avoided cost.

15
16 (c) For customer generated electricity systems not
17 subject to subsection (a) of this section the energy
18 measurement shall be calculated in the following manner:

19
20 (i) The electric utility shall measure the
21 electricity produced and consumed during the billing period,
22 in accordance with normal metering practices;

1 (ii) The customer-generator shall pay the retail
2 rate to the electric utility for all energy consumed during
3 the billing period;

4
5 (iii) The electric utility shall pay the customer-
6 generator the electric utility's avoided cost rate for all
7 energy produced by the customer-generator during the billing
8 period;

9
10 (iv) The calculation shall be consistent with
11 other provisions of this article.

12
13 **37-16-104. Safety and performance requirements.**

14
15 (a) A ~~net-metering~~customer generated electricity
16 system used by a customer-generator shall meet all applicable
17 safety and performance standards established by the national
18 electrical code, the institute of electrical and electronics
19 engineers and underwriters laboratories.

20
21 (b) The customer-generator shall at its expense provide
22 lockable, switching equipment capable of isolating the ~~net~~
23 ~~metering facility~~customer generated electricity system from

1 the electric utility's system. Such equipment shall be
2 approved by the electric utility and shall be accessible by
3 the electric utility at all times.

4
5 (c) The electric utility shall not be liable directly
6 or indirectly for permitting or continuing to allow an
7 attachment of a ~~net metering facility~~ customer generated
8 electricity system, or for acts or omissions of the customer-
9 generator that cause loss or injury, including death, to any
10 third party.

11
12 **Section 3.** W.S. 37-16-101(a)(vii) and (viii)(E) is
13 repealed.

14
15 *****
16 **STAFF COMMENT**
17 **The italicized language would be repealed by Section 3 of**
18 **this act:**
19
20 **37-16-101. Definitions.**

21
22 (a) As used in this chapter unless the context or a
23 specific article otherwise requires:

24
25 (vii) *"Net metering" means measuring the*
26 *difference between the electricity supplied by an electric*
27 *utility and the electricity generated by a customer-*
28 *generator that is fed back to the electric utility over the*
29 *applicable billing period;*
30

(viii) "Net metering system" means a facility for the production of electrical energy that:

(E) Is intended primarily to offset part or all of the customer-generator's requirements for electricity.

Section 4. This act is effective July 1, 2020.

(END)