

1 AN ACT concerning public utilities.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The Public Utilities Act is amended by adding  
5 Section 16-107.5 as follows:

6 (220 ILCS 5/16-107.5 new)

7 Sec. 16-107.5. Net electricity metering.

8 (a) The Legislature finds and declares that a program to  
9 provide net energy metering, as defined in this Section, for  
10 eligible customers can encourage private investment in  
11 renewable energy resources, stimulate economic growth,  
12 enhance the continued diversification of Illinois' energy  
13 resource mix, and protect the Illinois environment.

14 (b) As used in this Section, (i) "eligible customer"  
15 means a retail customer that owns and operates a solar or  
16 wind electrical generating facility with a capacity of not  
17 more than 40 kilowatts that is located on the customer's  
18 premises and is intended primarily to offset part or all of  
19 the customer's own electrical requirements and (ii) "net  
20 energy metering" means the measurement, during the billing  
21 period applicable to an eligible customer, of the net amount  
22 of electricity delivered by an electric utility to the  
23 customer's premises or provided to the electric utility by  
24 the customer.

25 (c) An electric utility shall provide for, and bear the  
26 costs of, meters, meter fittings and associated wiring in  
27 excess of standard metering, and any other equipment on the  
28 utility side of the meter required by the utility in order to  
29 effect net energy metering.

30 (d) An electric utility and an alternative retail  
31 electric supplier shall measure and charge or credit for the

1 net electricity supplied to eligible customers or provided by  
2 eligible customers in the following manner:

3 (1) If the amount of electricity used by the  
4 customer during the billing period exceeds the amount of  
5 electricity produced by the customer, the electric  
6 utility or alternative retail electric supplier shall  
7 charge the customer for the net electricity supplied to  
8 and used by the customer at the same rates applicable to  
9 electricity provided by the electric utility or  
10 alternative retail electric supplier to other residential  
11 customers and small commercial retail customers of  
12 similar end-use consumption characteristics.

13 (2) If the amount of electricity produced by a  
14 customer during the billing period exceeds the amount of  
15 electricity used by the customer during that billing  
16 period, the electric utility or alternative electric  
17 supplier supplying that customer shall apply a credit to  
18 the next bill for service to the customer for the net  
19 electricity supplied to the utility at the same rate,  
20 including delivery charges, applicable to electricity  
21 provided to other residential customers and small  
22 commercial retail customers of similar end-use  
23 consumption characteristics. The number of kilowatt-hours  
24 credited to the customer on the bill in any given billing  
25 period shall not exceed the amount of kilowatt-hours  
26 delivered to the customer by the utility in that billing  
27 period. The balance of kilowatt-hours uncredited shall be  
28 carried forward and applied to kilowatt-hours delivered  
29 to the customer by the utility in future billing periods.

30 (3) At the end of the year or annualized over the  
31 period that service is supplied by means of net energy  
32 metering, the electric utility or alternative retail  
33 electric supplier supplying a customer shall promptly  
34 issue payment at its avoided cost to the customer for the

1       value of the balance of any remaining uncredited  
2       kilowatt-hours provided by the customer during the year  
3       or annualized period.

4       (e) An electric utility may use separate meters to  
5       measure the gross amount of electricity delivered by the  
6       utility to the customer and the electricity supplied to the  
7       utility by the customer and may bill customers for taxes,  
8       franchise charges, or infrastructure maintenance fees,  
9       instrument funding charges, and decommissioning charges  
10      applicable to the gross amount of electricity delivered to  
11      the customer, if the electric utility does not charge the  
12      customer for the installation or use of the separate meters  
13      in excess of standard metering.

14      (f) An electric utility may, instead of using separate  
15      meters, use a single meter to measure the net amount of  
16      electricity delivered to or from a customer during the  
17      billing period.

18      (g) Within 3 months after the effective date of this  
19      amendatory Act of the 92nd General Assembly, the Illinois  
20      Commerce Commission shall establish standards for net energy  
21      metering and the interconnection of solar and wind electric  
22      generating equipment to the utility system if the Commission  
23      determines that such standards are necessary for safe and  
24      adequate service and further the public policy set forth in  
25      this Section. The standards shall conform to the "Recommended  
26      Practice for Utility Interface, of Photo-voltaic Systems" set  
27      forth by the IEEE (Institute of Electrical and Electronic  
28      Engineers). If a utility desires equipment or standards in  
29      excess of these standards, the utility shall bear the costs  
30      of those additional standards.

31      (h) Before February 1, 2002, the Illinois Commerce  
32      Commission shall determine how alternative retail electric  
33      suppliers will be required to credit delivery service  
34      charges.

1       (i) All electric utilities shall begin to offer net  
2 energy metering no later than April 1, 2002.

3       (j) All alternative retail electric suppliers shall  
4 begin to offer net energy metering no later than April 1,  
5 2002.

6       (k) An electric utility and an alternative retail  
7 electric supplier must offer net energy metering to eligible  
8 customers until the load of its net energy metering customers  
9 equals 0.1% of the total peak demand supplied by that  
10 electric utility or alternative retail electric supplier  
11 during the previous year. Electric utilities and alternative  
12 retail electric suppliers are authorized to offer net energy  
13 metering beyond the 0.1% level if they so choose.

14       Section 99. Effective date. This Act takes effect upon  
15 becoming law.