

**HOUSE BILL No. 2588**

By Committee on Energy, Utilities and Telecommunications

Requested by Jessica Lucas on behalf of the Clean Energy Business Council

1-24

1 AN ACT concerning electric public utilities; relating to net metering;  
2 increasing the system-wide capacity limit for facilities subject to net  
3 metering; requiring such facilities to be appropriately sized based on  
4 the customer's expected load; establishing requirements for exporting  
5 power to a utility from a facility subject to net metering; amending  
6 K.S.A. 66-1264, 66-1265, 66-1266 and 66-1267 and repealing the  
7 existing sections.  
8

9 *Be it enacted by the Legislature of the State of Kansas:*

10 Section 1. K.S.A. 66-1264 is hereby amended to read as follows: 66-  
11 1264. As used in the net metering and easy connection act:

12 (a) "Commission" means the state corporation commission.

13 (b) "Customer-generator" means the owner or operator of a net  
14 metered facility ~~which~~ *that*:

15 (1) Is powered by a renewable energy resource;

16 (2) is located on a premises owned, operated, leased or otherwise  
17 controlled by the customer-generator;

18 (3) is interconnected and operates in parallel phase and  
19 synchronization with an affected utility and is in compliance with the  
20 standards established by the affected utility;

21 (4) is intended primarily to offset part or all of the customer-  
22 generator's own electrical energy requirements *such that the customer-*  
23 *generator will fully consume the energy output and will deliver the*  
24 *remaining energy output and all other services to the utility; and*

25 (5) contains ~~a~~ *an underwriter laboratories listed* mechanism,  
26 approved by the utility, that automatically disables the unit and interrupts  
27 the flow of electricity back onto the ~~supplier's~~ *utility's* electricity lines in  
28 the event that service to the customer-generator is interrupted.

29 (c) "*Export*" means power that flows from a customer-generator's  
30 electrical system through a customer's billing meter and onto the utility's  
31 electricity lines.

32 (d) "*Generating capacity*" means the maximum amount of alternating  
33 current power that a customer generator's net metered system can  
34 produce.

35 (e) "Peak demand" ~~shall have the meaning ascribed thereto~~ *means the*

or

1 same as defined in K.S.A. 66-1257, and amendments thereto.

2 (f) "Permission to operate" means the operational date of the  
3 customer-generator's net metered facility.

4 ~~(d)~~(g) "Renewable energy resources" ~~shall have the meaning ascribed~~  
5 ~~thereto~~ means the same as defined in K.S.A. 66-1257, and amendments  
6 thereto.

7 (h) "Supplied" means power that flows from the utility's electricity  
8 lines through a customer's billing meter and into a customer-generator's  
9 electrical system.

10 ~~(e)~~(i) "Utility" means investor-owned electric utility.

11 (j) "Witness test" means a representative of the utility is on-site to  
12 measure or verify a specific setting or operational condition.

13 Sec. 2. K.S.A. 66-1265 is hereby amended to read as follows: 66-  
14 1265. Each utility shall:

15 (a) (1) Except as provided in paragraph (2), make net metering  
16 available to customer-generators who are in good standing with the utility  
17 on a first-come, first-served basis, until the total rated generating capacity  
18 as approved by the utility of all net metered systems equals ~~or exceeds~~  
19 ~~one~~:

20 (A) Commencing July 1, 2024, ~~percent~~ 2% of the utility's peak  
21 demand during the previous year;

22 (B) commencing July 1, 2025, 3% of the utility's peak demand during  
23 the previous year;

24 (C) commencing July 1, 2026, 4% of the utility's peak demand during  
25 the previous year; and

26 (D) commencing July 1, 2027, 5% of the utility's peak demand.

27 (2) The commission may increase the total rated generating capacity  
28 of all net metered systems to an amount above ~~one percent~~ 5% after  
29 conducting a hearing pursuant to K.S.A. 66-101d, and amendments  
30 thereto;

31 (b) provide an appropriate class bidirectional meter to the customer-  
32 generator at no charge, but may charge the customer-generator for the cost  
33 of any additional metering or distribution equipment necessary to  
34 accommodate the customer-generator's facility;

35 (c) disclose annually the availability of the net metering program to  
36 each of its customers with the method and manner of disclosure being at  
37 the discretion of the utility;

38 (d) for any customer-generator ~~which~~ that began operating its  
39 renewable energy resource under an interconnect agreement with the  
40 utility prior to July 1, 2014, offer to the customer-generator a tariff or  
41 contract that is identical in electrical energy rates, rate structure and  
42 monthly charges to the contract or tariff that the customer would be  
43 assigned if the customer were not an eligible customer-generator and shall

during the four years prior to such date