

TITLE 4: ECONOMIC RESOURCES
DIVISION 8: UTILITIES

§ 8539. Net Electricity Producers; Excess Electricity Credits and Credit Carry Over.

(a) The intent of this article is that, for the 12-month billing period, the eligible customer-generator shall be fully compensated for his/her consumption through the production offset and credit calculations, and for the electric utility to buy the customer's excess production at 50% of the net energy metering rate or at the rate provided in an electric contract with an independent power producer which shall at no time exceed 50% of the fuel component cost required to produce the same power from fossil fuel or bio-fuels when available.

(b) Except as provided in an electric contract with an independent power producer, for a net electricity producer, the electric utility shall not ordinarily pay the customer monthly, but it may use the customer's excess electricity generated during the monthly billing period; and

(c) Except as provided in an electric contract with an independent power producer, the net electricity producer's monthly excess electricity production shall be carried over to the next billing month as a monetary value to the credit of the customer; and

(d) Except as provided in an electric contract with an independent power producer, monthly unused credits shall accumulate and be used to offset the compensation owed the electric utility for the customer's net kilowatt-hour consumption for succeeding months within each 12-month period; and

(e) The electric utility shall reconcile the eligible customer-generator's electricity production and consumption for each 12-month period as set forth in this article, so that the aggregate credits shall be netted against the aggregate consumption charges for the 12-month period.

(f) Payment.

(1) Except as provided in an electric contract with an independent power producer, if the eligible customer-generator has paid during the 12-month period more than the 12-month reconciliation supports, the electric utility shall credit the customer for the overpayment on the next bill. If the customer leaves the system, the utility shall pay the customer the credit amount within the next billing month.

(2) Except as provided in an electric contract with an independent power producer, if the eligible customer-generator has, for the 12-month period, generated a net excess of electricity, the electric utility shall buy the excess at 50% of the rate applicable to the net energy metering calculation, or for such higher rate to which the parties have agreed in a purchase agreement for excess electricity production. The utility shall pay the customer within the next billing month.

Source: PL 15-23, § 2(8639), modified; amended by PL 15-87 § 2(8639).

Commission Comment: The Commission changed capitalization in this section pursuant to 1 CMC § 3806(f).