A BILL FOR AN ACT

CONCERNING MEASURES TO INCREASE THE DEPLOYMENT OF RENEWABLE ENERGY GENERATION FACILITIES TO MEET COLORADO'S ENERGY NEEDS, AND, IN CONNECTION THEREWITH, RAISING THE ALLOWABLE CAPACITY OF CUSTOMER-SITED RENEWABLE ENERGY GENERATION FACILITIES AND GIVING CUSTOMERS ADDITIONAL OPTIONS FOR INCREASING THE SCALE AND FLEXIBILITY OF NEW INSTALLATIONS.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at http://leg.colorado.gov.)
Section 1 of the bill declares that customer-sited renewable energy generation facilities (distributed generation) such as rooftop solar panels, together with increased storage capacity and enhanced master meter operations, can make important contributions toward meeting Colorado's declared goal of reducing greenhouse gas emissions while providing a reliable, adaptable supply of electricity for homes, businesses, and the rapidly increasing numbers of electric vehicles.

Sections 3 and 5 remove most of the existing limitations on the size of distributed generation facilities, which currently cannot exceed 120% of a customer's historical annual usage, to qualify for renewable energy credits. Section 3 also expands an existing exemption from regulation as a public utility to include persons who sell excess power from distributed generation located anywhere on their property or on property owned or leased by others in a master meter operation, e.g., an apartment building or mobile home park. Section 4 grants master meter operators (MMOs) that sell power from distributed generation a limited exemption from the general requirement not to charge their end users any amount above what they are billed for electricity supplied by the serving electric utility. MMOs may retain refunds, rebates, rate reductions, net metering credits, and similar reductions offered by the serving utility in its net metering program but may not charge end users at a rate higher than the serving utility's otherwise applicable rate for that class of utility customer.

Section 5 requires a qualifying retail utility to allow, and to adopt standards for the approval of, customer-owned meter collar adapters in residential installations. The public utilities commission (PUC) retains authority to resolve any disputes concerning the standards or their application in specific cases. Section 2 defines a meter collar adapter as a device installed between the electric meter and the meter socket box that allows the customer to interconnect power from on-site sources.

Section 5 also:
- Requires qualifying retail utilities, under the standard offer to purchase renewable energy credits, to purchase energy produced from any renewable energy resources rather than exclusively solar energy resources;
- Doubles the allowable size of on-site renewable energy installations under the standard offer, from 500 kilowatts to one megawatt;
- Narrows the requirements for small hydroelectric facilities that qualify as renewable energy resources to exclude those that require the construction of new dams or reservoirs;
- Adds renewable energy storage as an eligible energy resource under the renewable energy standard and defines "renewable energy storage" as a facility that stores energy that is derived only from renewable energy resources;
- Allows a customer to carry forward monthly bill credits from distributed generation indefinitely, at any service address within a qualifying retail utility's service territory, unless the customer chooses to be reimbursed annually; and
- Directs the PUC to adopt rules to accommodate the aggregation and interconnection of retail distributed generation, including the pooling of renewable energy resources under a master meter or similar arrangement and the allocation of credits among customers on different rate schedules.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Legislative declaration. (1) The general assembly finds, determines, and declares that:

(a) The state of Colorado has established the goal of cutting greenhouse gas emissions by at least twenty-six percent by 2025, fifty percent by 2030, and ninety percent by 2050;

(b) In order to meet these goals, much of Colorado's heating, electrical generation, and transportation systems will be increasingly reliant on renewable energy;

(c) Although large-scale renewable energy generation resources will make up most of Colorado's overall electric energy supply in the future, distributed generation plays a significant and increasingly important role because:

(I) Distributed generation reduces the need for investment in expensive, long-term projects to develop transmission facilities, which are required to bring energy from centralized power sources to the end user;

(II) When a producer exports excess electricity from distributed generation onto the state's power grid, the electricity is quickly consumed by nearby users, reducing the losses incurred in long-distance transmission over power lines;
(III) Distributed generation and storage has the potential to be used in advanced demand-response programs to create a more efficient and resilient grid as well as reduce the need for investments in expensive, yet rarely used, peaker plants;

(IV) Distributed generation, especially when paired with energy storage, creates a reliable energy source that is less vulnerable to natural disasters and grid failures; and

(V) Consumers and local governments increasingly want to have more local control over their energy decisions for both environmental and economic reasons, making local distributed generation investments an appealing option;

(d) Consumers and businesses are increasingly relying on electric vehicles for transportation, therefore enhancing the importance of abundant, locally produced power for recharging;

(e) Beneficial electrification policies and technological advancements will result in consumers switching their existing space heating and water heating systems to efficient electric heat pumps and water heaters, which will increase the electricity demands of homes and businesses;

(f) Colorado law currently limits the capacity of customer-sited photovoltaic solar generating facilities to only twenty percent over a customer's previous annual energy usage, an artificial and increasingly unrealistic barrier to Coloradans' ability to address their future electricity and energy storage needs;

(g) Due to economies of scale, it is more cost-effective for consumers to install a larger photovoltaic system based on projected electricity needs rather than needing to supplement their system later.
when their electric load increases;

(h) Measuring and enforcing such a limitation on the size of
customer-sited distributed generation creates unnecessary and costly
administrative burdens on both consumers and utilities; and

(i) It is in the public interest, and would serve Colorado's stated
policy goal of decarbonizing our electric power supply system, to remove
this arbitrary limit on customer-sited solar generation facilities as well as
to reform other outdated regulations that hinder the efficient development
of clean energy resources.

SECTION 2. In Colorado Revised Statutes, 40-1-102, add (8.5)
as follows:

40-1-102. Definitions. As used in articles 1 to 7 of this title 40,
unless the context otherwise requires:

(8.5) "Meter collar adapter" means a device that is
installed between the electric meter and the meter socket box
on a utility customer's premises and that has electrical
connection points both electrically upstream and electrically
downstream of the meter.

SECTION 3. In Colorado Revised Statutes, 40-1-103, amend
(2)(c) as follows:

40-1-103. Public utility defined. (2)(c) The supply of electricity
or heat to a consumer of the electricity or heat from solar-generating
equipment located on the site of the consumer's property, which
equipment is renewable energy generation facilities owned or
operated by an entity other than the consumer, shall including a master
meter operator, as described in section 40-1-103.5, does not subject
the owner or operator of the on-site solar-generating equipment
RENEWABLE ENERGY GENERATION FACILITIES to regulation as a public utility by the commission if the solar generating equipment is sized to supply no more than one hundred twenty percent of the average annual consumption of electricity by the consumer at that site. For purposes of this paragraph (c), the consumer's site shall include all contiguous RENEWABLE ENERGY GENERATION FACILITIES ARE LOCATED ON property owned or leased by EITHER:

(I) The consumer; without regard to interruptions in contiguity caused by easements, public thoroughfares, transportation rights-of-way, or utility rights-of-way. OR

(II) A MASTER METER OPERATOR OR ANOTHER CONSUMER SERVED BY THE MASTER METER OPERATOR.

SECTION 4. In Colorado Revised Statutes, 40-1-103.5, amend (1) as follows:

40-1-103.5. Limited exemption of master meter operators - conditions - rules - definition. (1) Upon its own motion or upon application by any person who purchases gas or electric service from a regulated public utility for the purpose of delivery of such service to end users whose aggregate usage is to be measured by a master meter or other composite measurement device, the commission may exempt such person from regulation of rates under the "Public Utilities Law", articles 1 to 7 of this title TITLE 40, as the commission deems appropriate, so long as all of the following conditions are met:

(a) Such person, referred to in this section as a "master meter operator" or "MMO", does not charge the end users, as part of its billing for utility service, for any costs in addition to the actual cost billed to the MMO by the serving utility, including without limitation costs of
construction, maintenance, financing, administration, metering, or billing
for the utility distribution system owned by the MMO; EXCEPT THAT THIS
SUBSECTION (1)(a) DOES NOT APPLY TO REFUNDS, REBATES, RATE
REDUCTIONS, NET METERING CREDITS, OR SIMILAR ADJUSTMENTS
ATTRIBUTABLE TO THE USE OF ELECTRICITY GENERATED FROM RETAIL
DISTRIBUTED GENERATION THAT IS LOCATED ON PROPERTY OWNED OR
LEASED BY THE MMO OR BY A CUSTOMER SERVED BY THE MMO.

(b) (I) If the MMO bills the end users separately for service,
OTHER THAN ELECTRICITY GENERATED FROM RETAIL DISTRIBUTED
GENERATION THAT IS LOCATED ON PROPERTY OWNED OR LEASED BY THE
MMO OR BY A CUSTOMER SERVED BY THE MMO, the sum of such billings
does not exceed the amount billed to the MMO by the serving utility.

(II) IF THE MMO BILLS THE END USERS SEPARATELY FOR
ELECTRICITY GENERATED FROM RETAIL DISTRIBUTED GENERATION THAT
IS LOCATED ON PROPERTY OWNED OR LEASED BY THE MMO OR BY A
CUSTOMER SERVED BY THE MMO, THE AMOUNT BILLED TO AN END USER
DOES NOT EXCEED THE AMOUNT THAT THE END USER WOULD OTHERWISE
HAVE BEEN BILLED BY THE SERVING UTILITY UNDER THE APPLICABLE RATE
SCHEDULE.

(c) If the MMO bills the end users separately for service, the
MMO passes on to the end users any refunds, rebates, rate reductions, or
similar adjustments it receives from the serving utility; EXCEPT THAT THE
MMO MAY RETAIN ANY REFUNDS, REBATES, RATE REDUCTIONS, NET
METERING CREDITS, OR SIMILAR ADJUSTMENTS ATTRIBUTABLE TO THE USE
OF RETAIL DISTRIBUTED GENERATION THAT IS LOCATED ON PROPERTY
OWNED OR LEASED BY THE MMO OR BY A CUSTOMER SERVED BY THE
MMO.
(d) Any other conditions deemed necessary by the commission.

SECTION 5. In Colorado Revised Statutes, 40-2-124, amend (1)(a) introductory portion, (1)(a)(VII), (1)(a)(VIII), (1)(c)(II)(B), (1)(e) introductory portion, (1)(e)(I), (1)(e)(II), (1)(e)(III), and (1.5); and add (1)(a)(VII.5), (1)(e)(IV), and (1)(j) as follows:

40-2-124. Renewable energy standards - qualifying retail and wholesale utilities - definitions - net metering - legislative declaration. (1) Each provider of retail electric service in the state of Colorado, other than municipally owned utilities that serve forty thousand customers or fewer, is a qualifying retail utility. Each qualifying retail utility, with the exception of cooperative electric associations that have voted to exempt themselves from commission jurisdiction pursuant to section 40-9.5-104 and municipally owned utilities, is subject to the rules established under this article 2 by the commission. No additional regulatory authority is provided to the commission other than that specifically contained in this section. In accordance with article 4 of title 24, the commission shall revise or clarify existing rules to establish the following:

(a) Definitions of eligible energy resources that can be used to meet the standards. "Eligible energy resources" means recycled energy, and renewable energy resources, AND RENEWABLE ENERGY STORAGE. In addition, resources using coal mine methane and synthetic gas produced by pyrolysis of municipal solid waste are eligible energy resources if the commission determines that the electricity generated by those resources is greenhouse gas neutral. The commission shall determine, following an evidentiary hearing, the extent to which such electric generation technologies utilized in an optional pricing program may be used to comply with this standard. A fuel cell using hydrogen derived from an
eligible energy resource is also an eligible electric generation technology. Fossil and nuclear fuels and their derivatives are not eligible energy resources. For purposes of this section:

(VII) "Renewable energy resources" means solar, wind, geothermal, biomass THAT IS GREENHOUSE GAS NEUTRAL, new hydroelectricity with a nameplate rating of ten megawatts or less, and hydroelectricity in existence on January 1, 2005, with a nameplate rating of thirty megawatts or less AND THAT DOES NOT REQUIRE THE CONSTRUCTION OF ANY NEW DAMS OR RESERVOIRS.

(VII.5) "RENEWABLE ENERGY STORAGE" MEANS AN ENERGY STORAGE SYSTEM, AS DEFINED IN SECTION 40-2-130 (2)(a), THAT STORES ENERGY PRODUCED ONLY BY RENEWABLE ENERGY RESOURCES.

(VIII) EXCEPT AS PROVIDED IN SUBSECTION (1)(c)(II)(D) OF THIS SECTION WITH RESPECT TO COOPERATIVE ELECTRIC ASSOCIATIONS, "retail distributed generation" means a renewable energy resource that is located on the site of a customer's facilities ANY PROPERTY OWNED OR LEASED BY THE CUSTOMER WITHIN THE SERVICE TERRITORY OF THE QUALIFYING RETAIL UTILITY and is interconnected on the customer's side of the utility meter. In addition, retail distributed generation shall provide electric energy primarily to serve the customer's load and shall be sized to supply no more than one hundred twenty percent of the average annual consumption of electricity by the customer at that site. For purposes of this subparagraph (VIII), the customer's "site" includes all contiguous property owned or leased by the customer without regard to interruptions in contiguity caused by easements, public thoroughfares, transportation rights-of-way, or utility rights-of-way.

(c) Electric resource standards:
(II) (B) Solar generating equipment located on-site at customers' facilities shall be sized to supply no more than one hundred twenty percent of the average annual consumption of electricity by the consumer at that site. For purposes of this sub-subparagraph (B), the consumer's "site" shall include all contiguous property owned or leased by the consumer, without regard to interruptions in contiguity caused by easements, public thoroughfares, transportation rights-of-way, or utility rights-of-way. A QUALIFYING RETAIL UTILITY THAT IS INVESTOR-OWNED SHALL NOT LIMIT THE SIZING OF ON-SITE RETAIL DISTRIBUTED GENERATION CAPACITY BASED ON PAST CONSUMPTION. COOPERATIVE ELECTRIC ASSOCIATIONS ARE NOT SUBJECT TO THIS SUBSECTION (I)(c)(II)(B).

(e) A REQUIREMENT THAT EACH QUALIFYING RETAIL UTILITY, EXCEPT FOR COOPERATIVE ELECTRIC ASSOCIATIONS AND MUNICIPALLY OWNED UTILITIES, MAKE AVAILABLE TO THEIR CUSTOMERS A STANDARD rebate offer program AND NET METERING SERVICE, under which:

(I) (A) Each qualifying retail utility, except for cooperative electric associations and municipally owned utilities, shall make available to its retail electricity customers a standard rebate offer of solar electric generation on the customers' premises, up to a maximum of one hundred kilowatts per installation.

(A.5) A QUALIFYING RETAIL UTILITY'S INTERCONNECTION STANDARDS FOR DISTRIBUTED ENERGY RESOURCES MUST ALLOW FOR CUSTOMER OWNERSHIP AND USE OF A METER COLLAR ADAPTER TO PERMIT THE INTERCONNECTION OF DISTRIBUTED ENERGY RESOURCES AND FOR ELECTRICAL ISOLATION OF THE CUSTOMER'S SITE FOR ENERGY BACKUP PURPOSES. THE QUALIFYING RETAIL UTILITY SHALL, WITHIN NINETY DAYS
AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (1)(e)(I)(A.5), ADOPT A
TRANSPARENT PROCESS FOR APPROVING CUSTOMER-OWNED METER
COLLAR ADAPTERS THAT MEET MINIMUM SAFETY REQUIREMENTS. THE
COMMISSION SHALL RESOLVE ANY DISPUTES CONCERNING THE SUBSTANCE
OR PROCEDURES INVOLVED IN THE APPROVAL PROCESS OR ITS APPLICATION
IN ANY SPECIFIC CASE. THE APPROVAL PROCESS MUST TAKE NO MORE
THAN SIXTY DAYS AFTER THE DATE OF SUBMISSION FOR APPROVAL OF A
SPECIFIC METER COLLAR ADAPTER BY THE PROPOSING PARTY. APPROVED
METER COLLAR ADAPTERS MUST BE UL LISTED AND MUST BE SUITABLE
PER THE ADAPTER'S UL LISTING DOCUMENTATION FOR USE IN METER
 SOCKETS OF UP TO TWO HUNDRED AMPERES. THE QUALIFYING RETAIL
UTILITY SHALL DEFINE AND PUBLISH IN ITS TARIFFS A PROCESS TO REQUEST
AND INSTALL A METER COLLAR ADAPTER, WHICH PROCESS IS TIMELY AND
NOT UNDULY BURDENsome TO THE CUSTOMER. THE QUALIFYING RETAIL
UTILITY SHALL POST ON ITS WEBSITE ITS LIST OF APPROVED METER COLLAR
ADAPTERS, WHICH LIST MUST BE UPDATED AT LEAST ANNUALLY.

(B) The **standard rebate offer shall** QUALIFYING RETAIL UTILITY'S
NET METERING SERVICE MUST allow the customer's retail electricity
consumption to be offset by the **solar** electricity generated BY
CUSTOMER-SITED RENEWABLE ENERGY GENERATION FACILITIES. To the
extent that **solar** electricity generation **thus generated** exceeds the
customer's consumption during a billing month, **such** the QUALIFYING
RETAIL UTILITY SHALL CARRY FORWARD THE VALUE OF THE excess
electricity **shall be carried forward** as a credit to the following month's
customer's consumption **To the extent that solar electricity generation
exceeds the customer's consumption during a calendar year, the customer
shall be** in the following month. **The monthly carry-forward**
CONTINUES FROM MONTH TO MONTH INDEFINITELY UNTIL THE CUSTOMER TERMINATES SERVICE WITH THE QUALIFYING RETAIL UTILITY AT ALL SERVICE ADDRESSES WITHIN THE SERVICE TERRITORY OF THE QUALIFYING RETAIL UTILITY, AT WHICH TIME THE QUALIFYING RETAIL UTILITY IS NOT REQUIRED TO PAY THE CUSTOMER FOR ANY REMAINING EXCESS ELECTRICITY SUPPLIED BY THE CUSTOMER; EXCEPT THAT, TO THE EXTENT THAT SOLAR ELECTRICITY GENERATION EXCEEDS THE CUSTOMER'S CONSUMPTION DURING A CALENDAR YEAR, THE CUSTOMER MAY ELECT, IN WRITING, TO BE reimbursed by the qualifying retail utility AT THE END OF EACH CALENDAR YEAR at its THE QUALIFYING RETAIL UTILITY’S average hourly incremental cost of electricity supply over the prior twelve-month period unless the customer makes a one-time election, in writing, to request that the excess electricity be carried forward as a credit from month to month indefinitely until the customer terminates service with the qualifying retail utility, at which time no payment shall be required from the qualifying retail utility for any remaining excess electricity supplied by the customer THAT CALENDAR YEAR. The qualifying retail utility shall not apply unreasonably burdensome interconnection requirements TO INTERCONNECTION OR REIMBURSEMENT OPTIONS in connection with this standard rebate offer THE QUALIFYING RETAIL UTILITY’S NET METERING SERVICE. Electricity generated under this program shall be IS eligible for PURPOSES OF the qualifying retail utility's compliance with this article ARTICLE 2 SO LONG AS THE QUALIFYING RETAIL UTILITY PURCHASES THE ASSOCIATED RENEWABLE ENERGY CREDITS. THE COMMISSION SHALL NOT PERMIT A QUALIFYING RETAIL UTILITY TO PLACE A CUSTOMER IN A DIFFERENT RATE CLASS AS A RESULT OF THE CUSTOMER'S PARTICIPATION IN A REBATE OFFER OR NET METERING SERVICE.
(II) Sales of electricity to a consumer may be made by the owner or operator of the solar electric generation facilities located on the site of the consumer's property if the solar generating equipment is sized to supply no more than one hundred twenty percent of the average annual consumption of electricity by the consumer at that site. For purposes of this subparagraph (II), the consumer's site shall include all contiguous property owned or leased by the consumer, without regard to interruptions in contiguity caused by easements, public thoroughfares, transportation rights-of-way, or utility rights-of-way which property is within the service territory of the qualifying retail utility, may sell electricity to the consumer. If the solar electric generation facility is not owned by the consumer, then the commission shall not require the qualifying retail utility shall not be required by the commission to pay for the renewable energy credits generated by the facility on any basis other than a metered basis. The owner or operator of the solar electric generation facility shall pay the cost of installing the production meter.

(III) The qualifying retail utility may establish one or more standard offers to purchase renewable energy credits generated from eligible solar electric generation on the customer's premises so long as the generation meets the size and location requirements set forth in subparagraph (II) of this paragraph (e) and so long as the generation is five hundred kilowatts one megawatt or less in size. When establishing the standard offers, the qualifying retail utility should set the prices for renewable energy credits at levels sufficient to encourage increased customer-sited solar distributed generation and renewable energy storage in the size
ranges covered by each standard offer, but at levels that will still allow
the qualifying retail utility to comply with the electric resource standards
set forth in paragraph (c) of this subsection (1)  SUBSECTION (1)(c) OF THIS
SECTION without exceeding the retail rate impact limit in paragraph (g) of
this subsection (1). The commission shall encourage qualifying retail
utilities to design solar programs that allow consumers of all income
levels to obtain the benefits offered by solar electricity generation and
shall allow programs that are designed to extend participation to
customers in market segments that have not been responding to the
standard offer program SUBSECTION (1)(g) OF THIS SECTION.

(IV) THE COMMISSION SHALL ENCOURAGE QUALIFYING RETAIL
UTILITIES TO DESIGN REBATE OFFERS AND OTHER INCENTIVE PROGRAMS
THAT ALLOW CONSUMERS OF ALL INCOME LEVELS, PARTICULARLY THOSE
IN LOW-INCOME AND DISPROPORTIONATELY IMPACTED COMMUNITIES, TO
OBTAIN THE BENEFITS OFFERED BY DISTRIBUTED GENERATION AND
ENERGY STORAGE, AND SHALL ENCOURAGE PROGRAMS THAT ARE
DESIGNED TO EXTEND PARTICIPATION TO CUSTOMERS IN THESE AND OTHER
MARKET SEGMENTS THAT HAVE PREVIOUSLY BEEN UNDERREPRESENTED
IN THE STANDARD OFFER PROGRAM.

(j) RULES TO ACCOMMODATE AGGREGATION AND
INTERCONNECTION OF RETAIL DISTRIBUTED GENERATION, INCLUDING:

(I) ALLOWING ELECTRICITY GENERATED FROM A SINGLE
RENEWABLE RETAIL DISTRIBUTED GENERATION RESOURCE ON A
MULTI-UNIT PROPERTY TO BE ALLOCATED AS NET METERING CREDITS TO
EITHER COMMON AREAS OF THE PROPERTY OR TO INDIVIDUALLY METERED
ACCOUNTS WITHOUT REQUIRING THE RESOURCE TO BE PHYSICALLY
INTERCONNECTED WITH EACH OWNER'S OR LESSEE'S METER;
II) ALLOWING A UTILITY CUSTOMER WITH RETAIL DISTRIBUTED
GENERATION INTERCONNECTED WITH A MASTER METER TO ALLOCATE
EXCESS NET METERING CREDITS TO ANY METER ON PROPERTY OWNED OR
LEASED BY THE CUSTOMER IN ACCORDANCE WITH A CUSTOMER-DEFINED
SYSTEM SHARE FOR EACH ADDITIONAL METER, WITH EXCESS NET
METERING CREDITS APPLIED TO THE ADDITIONAL METER;

(III) WHERE RETAIL DISTRIBUTED GENERATION IS BEING USED TO
OFFSET THE LOAD OF MULTIPLE, SEPARATELY METERED PROPERTIES THAT
ARE NOT ON THE SAME RATE SCHEDULE, ALLOWING ALLOCATION OF THE
BILL CREDITS THAT MAY BE APPLIED TO ANY OF THE METERED ACCOUNTS;

(IV) REQUIRING QUALIFYING RETAIL UTILITIES TO APPLY THE SAME
INSTALLATION STANDARDS AND LIST OF APPROVED METER COLLAR
ADAPTERS DEVELOPED PURSUANT TO SUBSECTION (1)(e)(I)(A.5) OF THIS
SECTION TO ALL CUSTOMERS DESIRING TO USE RETAIL DISTRIBUTED
GENERATION TO OFFSET THEIR INDIVIDUAL ENERGY LOADS; AND

(V) REQUIRING QUALIFYING RETAIL UTILITIES TO DEVELOP
PROGRAMS AND TARIFFS TO SUPPORT THE ADOPTION AND USE OF
DISPATCHABLE RENEWABLE DISTRIBUTED GENERATION AND STORAGE
RESOURCES TO PROVIDE GRID BENEFITS, SUCH AS ENHANCING THE
EFFICIENCY, CAPACITY, AND RESILIENCE OF THE ELECTRIC GRID, AND TO
REDUCE GREENHOUSE GAS EMISSIONS. AS USED IN THIS SUBSECTION
(1)(j)(V), "DISPATCHABLE" MEANS THAT THE POWER OUTPUT SUPPLIED TO
THE ELECTRIC GRID BY A CUSTOMER-SITED RENEWABLE ENERGY
GENERATION OR STORAGE FACILITY CAN BE TURNED ON AND OFF OR
OTHERWISE ADJUSTED ON DEMAND.

(1.5) Notwithstanding any provision of law to the contrary,
section **shall** do not apply to a municipally owned utility or to a cooperative electric association.

**SECTION 6. Applicability.** This act applies to contracts for distributed generation and energy storage facilities executed on or after the effective date of this act.

**SECTION 7. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.