

House Bill 1304

By: Representatives Barnes of the 86th, Gisler of the 121st, Drenner of the 85th, Park of the 107th, Ridley of the 22nd, and others

A BILL TO BE ENTITLED

AN ACT

1 To amend Part 3 of Article 1 of Chapter 3 of Title 46 of the Official Code of Georgia
2 Annotated, relating to sale of electricity by facility generating electricity, steam, or other
3 forms of energy for its own consumption, so as to provide for portable solar generation
4 devices; to exempt electricity generation devices below 1,200 watts from certain
5 requirements of interconnection and operation; to prohibit electric service providers from
6 requiring certain criteria prior to the operation of portable solar generation devices; to limit
7 liability; to prohibit the sale of electricity generated by portable solar generation devices; to
8 provide for a definition; to provide for related matters; to repeal conflicting laws; and for
9 other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Part 3 of Article 1 of Chapter 3 of Title 46 of the Official Code of Georgia Annotated,
13 relating to sale of electricity by facility generating electricity, steam, or other forms of energy
14 for its own consumption, by amending Code Section 46-3-52, relating to jurisdiction of
15 commission over cogeneration facility the energy from which is used solely by operator, as
16 follows:

H. B. 1304

17 "46-3-52.

18 As used in this part, the term:

19 (1) 'Bidirectional metering' means measuring the amount of electricity supplied by an
20 electric service provider and the amount fed back to the electric service provider by the
21 customer's distributed generation facility using the same meter.

22 (2) 'Cogeneration facility' means a facility, other than a distributed generation facility,
23 which produces electric energy, steam, or other forms of useful energy (such as heat)
24 which are used for industrial, commercial, heating, or cooling purposes.

25 (3) 'Customer generator' means the owner and operator of a distributed generation
26 facility.

27 (4) 'Distributed generation facility' means a facility owned and operated by a customer
28 of the electric service provider for the production of electrical energy that:

29 (A) Uses a solar ~~Photovoltaic~~ photovoltaic system, fuel cell, or wind turbine;

30 (B) Has a peak generating capacity of more than 1,200 watts but not more than 10kw
31 for a residential application and 100kw for a commercial application;

32 (C) Is located on the customer's premises;

33 (D) Operates in parallel with the electric service provider's distribution facilities;

34 (E) Connected to the electric service provider's distribution system on either side of the
35 electric service provider's meter; and

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

38 (5) 'Electric membership corporation' means a corporation organized under Article 2 of
39 this chapter.

40 (6) 'Electric service provider' means any electric utility, electric membership corporation,
41 or municipal electric utility that is engaged in the business of distributing electricity to
42 retail electric customers in the state.

43 (7) 'Electric supplier' means any electric utility, electric membership corporation
44 furnishing wholesale service, any municipal electric utility or any other person which
45 furnishes wholesale service to any municipality, and the Tennessee Valley Authority.

46 (8) 'Electric utility' means any retail supplier of electricity whose rates are fixed by the
47 commission.

48 (9) 'Municipal electric utility' means a city or town that owns or operates an electric
49 utility.

50 (10) 'Person' means a natural person, corporation, trust, partnership, incorporated or
51 unincorporated association, or any other legal entity.

52 (11) 'Portable solar generation device' means a moveable photovoltaic generation device
53 that:

54 (A) Has a maximum power output of not more than 1,200 watts;

55 (B) Is designed to be connected to a building's electrical system through a standard
56 120-volt alternating current outlet;

57 (C) Is intended primarily to offset part of the customer's electricity consumption;

58 (D) Meets the standards of the most recent version of the National Electrical Code; and

59 (E) Is certified by Underwriters Laboratories or an equivalent nationally recognized
60 testing laboratory.

61 (12) 'Renewable energy sources' means energy supplied from technologies as approved
62 in the Georgia Green Pricing Accreditation Program."

63 **SECTION 2.**

64 Said part is further amended by adding a new Code section to read as follows:

65 "46-3-57.

66 (a) A customer using a portable solar generation device shall not be required to enter into
67 a written agreement with an electric service provider prior to such device's use.

68 (b) An electric service provider shall not require a customer using a portable solar
69 generation device to:

70 (1) Obtain the electric service provider's approval before installing or using such device;

71 (2) Pay any interconnection fee for such device;

72 (3) Install or use a bidirectional meter; or

73 (4) Pay any additional metering fees based on the customer's use of such device.

74 (c) An electric service provider shall not be required to purchase or provide credit for any
75 electricity generation by a portable solar generation device above the customer's usage.

76 (d) A portable solar generation device shall include a device or feature that prevents the
77 system from energizing the building's electrical system during a power outage.

78 (e) An electric service provider is not liable for any damage or injury caused by a portable
79 solar generation device."

80

SECTION 3.

81 All laws and parts of laws in conflict with this Act are repealed.