



**Hundredth Legislature - First Session - 2007
Committee Statement
LB 581**

Hearing Date: February 1, 2007
Committee On: Natural Resources

Introducer(s): (Preister)
Title: Adopt the Energy Conservation and Self-Reliance Act

Roll Call Vote – Final Committee Action:

- Advanced to General File
 - Advanced to General File with Amendments
 - X Indefinitely Postponed
-

Vote Results:

6	Yes	Senators Carlson, Christensen, Fischer, Hudkins, Kopplin, Louden
0	No	
2	Present, not voting	Senators Dubas, Wallman
0	Absent	

Proponents:
Senator Don Preister
Ken Winston
John Hansen
Robert Byrnes
Deborah Ward
Jarel Vinduska
Jon Dixon

Representing:
Introducer
Nebraska Chapter, Sierra Club
Nebraska Farmers Union
Nebraska Renewable Energy Service
Self
Self
Self

Opponents:
Kristen Gottschalk

Representing:
Nebraska Rural Electric Association; Nebraska Power Association

Neutral:
Tim Texel

Representing:
Nebraska Power Review Board

Summary of purpose and/or changes:

LB 581 does the following:

Section 1 Names the Act

Section 2 Definitions

- Section 3
- (1) Requires all retail utilities to offer net-metering to customer-generators with renewable energy generation if: (a) the rated capacity of the generator does not exceed two megawatts; and (b) the rated capacity does not exceed the customer's service entrance capacity.
 - (2) Requires the retail utility to develop a net-metering tariff that provides credits at a one-to-one ratio for any production.
 - (3) Requires the retail utility to carry over any excess kilowatt-hour credits and apply them to future billings until used or the end of the annual billing cycle.
 - (4) Requires the retail utility to compensate for any excess kilowatt-hour credits at avoided costs for marginal electric energy usage.
 - (5) Allows the use of a single, bidirectional electric revenue meter to measure the flow of electricity in both directions at the same rate.
 - (6) Allows a customer-generator to use an existing electric revenue meter if: (a) the meter is capable of measuring the flow of electricity both into and out of the facility at the same rate and ratio; and (b) the meter is accurate to within five percent.
 - (7) Requires the retail utility to install and maintain a new revenue meter for the customer-generator at the retail utility's expense. Any subsequent revenue meter change necessitated by the customer-generator shall be paid by the customer-generator.
 - (8) Limits the retail utility to requiring one meter unless: (a) the customer-generator consents and the retail utility pays for the additional meter; or (b) the customer-generator requests and pays it; the retail utility must provide the meter and its installation and may only charge the actual cost of the meter and installation.
 - (9) Establishes ownership of the renewable energy credits in the customer-generator.
 - (10) Requires the retail utility to provide service at a non-discriminatory rate.
 - (11) Prohibits the retail utility from charging a customer-generator any fee or charge or requiring additional equipment, insurance or other requirements unless the fee, charge or other requirement would apply to other like customers who are not customer-generators.
 - (12) Requires the retail utility to submit an annual report to the Nebraska Power Review Board at the end of each year that contains: (a) number of customer-generator facilities; (b) total estimated generation capacity; (c) total estimated net kilowatt hours received from the customer-generator; (d) total estimated amount of energy produced by the customer-generator; and (e) outreach and information efforts engaged in by the retail utility about availability of net-metering.
 - (13) Does not require the retail electric supplier to provide local distribution service to additional customer-generators after the date which the total generating capacity of all customer-generators with net metering systems served by a local distribution utility is equal to or in excess of one percent

of the capacity necessary to meet the local distribution utility's average forecast aggregate customer peak demand for the calendar year.

- Section 4 Requires any net-metering system installed by a customer-generator to meet all applicable safety and performance standards.
- Section 5 Gives the retail utility the right to inspect a customer-generator's facility during reasonable hours and with prior notice. If the retail utility discovers that the customer-generator's facility is not in compliance, and the non-compliance adversely affects the safety or reliability of the retail utility's or other customer's facilities, the retail utility may require the customer-generator to disconnect until such time as the problem is corrected.

Explanation of amendments, if any:

None

Senator LeRoy Loudon, Chairperson