

facilities; increasing the maximum allowable kilowatt capacity of certain electrical generating facilities used by net energy metering; providing that certain electric generating facilities may only be used for net metering if the Public Service Commission makes a certain finding; requiring biomass electric generating systems used by eligible customers to meet certain safety and performance standards; prohibiting an electric company from requiring eligible customers who own and operate biomass electric generating facilities to meet certain additional requirements; defining a certain term; making stylistic changes; and generally relating to net energy metering and biomass electric generating facilities.

BY repealing and reenacting, with amendments,

Article – Public Utility Companies

Section 7-306

Annotated Code of Maryland

(1998 Volume and 2004 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Utility Companies

Section 7-701(a) and (h)

Annotated Code of Maryland

(1998 Volume and 2004 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

**Article – Public Utility Companies**

7-306.

(a) (1) In this section the following words have the meanings indicated.

(2) “BIOMASS” MEANS “QUALIFIED BIOMASS” AS DEFINED IN § 7-701 OF THIS TITLE.

(3) “Eligible customer-generator” means a customer that owns and operates a BIOMASS, solar [electrical generating facility], or [a] wind electric generating facility that:

(i) ~~has a capacity of not more than [80] 1,000 kilowatts;~~

(ii) is located on the customer’s premises;

(iii) (II) is interconnected and operated in parallel with an electric company’s transmission and distribution facilities; and

(iv) (III) is intended primarily to offset all or part of the customer’s own electricity requirements.

[(3)] (4) “Net energy metering” means measurement of the difference between the electricity that is supplied by an electric company and the electricity that