

HOUSE BILL No. 5121

August 21, 2007, Introduced by Reps. Opsommer, Horn, Nitz, Nofs, Agema, Moss, Ball, Emmons and Amos and referred to the Committee on Energy and Technology.

A bill to amend 1939 PA 3, entitled

"An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts,"

(MCL 460.1 to 460.10cc) by adding section 10dd.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

SEC. 10DD. (1) AS USED IN THIS SECTION:

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1 (A) "BIOMASS" MEANS AGRICULTURAL CROPS AND ORGANIC WASTE,
2 WASTE TO ENERGY, AND LANDFILL GAS. BIOMASS FUELED SYSTEMS SHALL BE
3 ALLOWED TO BLEND UP TO 25% FOSSIL FUEL AS NEEDED TO ENSURE SAFE,
4 ENVIRONMENTALLY SOUND SYSTEM OPERATION.

5 (B) "COMMISSION" MEANS THE MICHIGAN PUBLIC SERVICE COMMISSION.

6 (C) "ELECTRIC UTILITY" MEANS A PERSON, PARTNERSHIP,
7 CORPORATION, ASSOCIATION, OR OTHER LEGAL ENTITY WHOSE TRANSMISSION
8 OR DISTRIBUTION OF ELECTRICITY THE COMMISSION REGULATES UNDER 1909
9 PA 106, MCL 460.551 TO 460.559, OR 1939 PA 3, MCL 460.1 TO
10 460.10CC. ELECTRIC UTILITY ALSO INCLUDES A MUNICIPAL UTILITY.

11 (D) "ELIGIBLE ELECTRIC GENERATOR" MEANS A SYSTEM FOR THE
12 GENERATION OF ELECTRICITY THAT IS FUELED BY A RENEWABLE FUEL OR A
13 FUEL CELL. AN ELIGIBLE ELECTRIC GENERATOR SHALL NOT EXCEED 150
14 KILOWATTS UNLESS APPROVED BY THE COMMISSION IN CONSULTATION WITH
15 POTENTIALLY AFFECTED ELECTRIC UTILITIES.

16 (E) "RENEWABLE FUEL" MEANS SOLAR, WIND, OR BIOMASS.

17 (2) THE COMMISSION SHALL ESTABLISH A STATEWIDE NET METERING
18 PROGRAM NO LATER THAN JANUARY 1, 2008. THE PROGRAM SHALL APPLY TO
19 ALL RETAIL CUSTOMERS IN THIS STATE, WHETHER THE CUSTOMER IS SERVED
20 BY AN ELECTRIC UTILITY OR AN ALTERNATIVE ELECTRIC SUPPLIER. EXCEPT
21 AS OTHERWISE PROVIDED FOR UNDER THIS SECTION, CUSTOMERS OF ANY
22 CLASS MAY APPLY TO INTERCONNECT ELIGIBLE ELECTRIC GENERATORS WITH
23 THE CUSTOMER'S LOCAL ELECTRIC UTILITY AND OPERATE THE GENERATORS IN
24 PARALLEL WITH THE DISTRIBUTION SYSTEM PROVIDED THEY MEET ALL
25 APPLICABLE INSTALLATION AND INTERCONNECTION REQUIREMENTS UNDER
26 SUBSECTION (6). THE ELIGIBLE ELECTRIC GENERATOR SYSTEM'S PRIMARY
27 PURPOSE SHALL BE TO SERVE THE ENERGY NEEDS OF THE CUSTOMER

1 INSTALLING THE SYSTEM AND SHALL BE DESIGNED SO THAT ITS OUTPUT IS
2 NOT SUBSTANTIALLY LARGER THAN REQUIRED BY THE CUSTOMER'S ON-SITE
3 ANNUAL ENERGY USE. THE PROGRAM WILL ALLOW ENROLLMENT FOR UP TO 5
4 YEARS FROM THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS
5 SECTION AND PARTICIPATION IN THE NET METERING PROGRAM FOR A PERIOD
6 OF 15 YEARS AFTER THE DATE OF ENROLLMENT.

7 (3) PARTICIPANTS IN THE NET METERING PROGRAM SHALL BE
8 DETERMINED BY AN APPLICATION PROCESS. WITH THE EXCEPTION OF
9 MUNICIPAL UTILITIES, AN ELECTRIC UTILITY OR ALTERNATIVE ELECTRIC
10 SUPPLIER SHALL NOT STOP ACCEPTING APPLICATIONS FOR NET METERING
11 UNDER THIS PROGRAM UNTIL THEIR TOTAL PROJECTED GENERATION LOAD IN
12 THE NET METERING PROGRAM REACHES A THRESHOLD DETERMINED BY 2.0% OF
13 THEIR PREVIOUS 12 MONTH'S RETAIL SALES. AN ELECTRIC UTILITY OR
14 ALTERNATIVE ELECTRIC SUPPLIER MAY CHOOSE TO CONTINUE TO ENROLL
15 ADDITIONAL NET METERING CUSTOMERS AFTER THE THRESHOLD IS MET. A
16 MUNICIPAL UTILITY SHALL HAVE A THRESHOLD DETERMINED BY 1.0% OF ITS
17 PREVIOUS 12 MONTHS OF RETAIL SALES. THE COMMISSION SHALL ESTABLISH
18 A STANDARDIZED APPLICATION FORM AND PROCESS TO BE USED BY ALL
19 ELECTRIC UTILITIES AND ALTERNATIVE ELECTRIC SUPPLIERS IN THIS
20 STATE. THE STANDARD FORM SHALL CONTAIN THE MINIMUM INFORMATION
21 REQUIREMENTS, AS DEFINED BY THE COMMISSION IN COLLABORATION WITH
22 THE ELECTRIC UTILITIES AND ALTERNATIVE ELECTRIC SUPPLIERS OF THIS
23 STATE. ELECTRIC UTILITIES AND ALTERNATIVE ELECTRIC SUPPLIERS MAY
24 MODIFY THE STANDARD FORM TO ALIGN WITH THEIR BUSINESS PROCESSES,
25 PROVIDED THOSE MODIFICATIONS DO NOT CREATE UNDUE BURDENS ON
26 CUSTOMERS. CUSTOMERS WHO ARE SERVED BY AN ALTERNATIVE ELECTRIC
27 SUPPLIER SHALL SUBMIT A COPY OF THE APPLICATION TO THE ELECTRIC

1 UTILITY THAT DISTRIBUTES ELECTRICITY IN THE CUSTOMER'S SERVICE
2 AREA. EACH ELECTRIC UTILITY AND ALTERNATIVE ELECTRIC SUPPLIER SHALL
3 MAINTAIN RECORDS OF ALL APPLICATIONS AND UP-TO-DATE RECORDS OF ALL
4 ELIGIBLE ELECTRIC GENERATORS LOCATED WITHIN THEIR SERVICE AREA,
5 INCLUDING INFORMATION ON THE TYPE AND AMOUNT OF THE GENERATOR'S
6 ENERGY PRODUCTION.

7 (4) SELECTION OF CUSTOMERS FOR PARTICIPATION IN THE NET
8 METERING PROGRAM SHALL BE BASED UPON THE DIVISION OF CUSTOMERS INTO
9 2 CLASSES, RESIDENTIAL AND NONRESIDENTIAL, AND THEN IN THE ORDER IN
10 WHICH THE APPLICATIONS FOR PARTICIPATION IN THE NET METERING
11 PROGRAM ARE RECEIVED BY THE ELECTRIC UTILITY OR ALTERNATIVE
12 ELECTRIC SUPPLIER FOR EACH CLASS. THE COMMISSION SHALL ESTABLISH
13 STANDARDS BY WHICH APPLICANTS WHO HAVE APPLIED TO THE PROGRAM BUT
14 HAVE NOT REQUESTED INSPECTION OR INTERCONNECTION IN A TIMELY MANNER
15 ARE MOVED TO THE BOTTOM OF THE PRIORITY LIST.

16 (5) AN ELECTRIC UTILITY OR ALTERNATIVE ELECTRIC SUPPLIER SHALL
17 NOT DISCONTINUE OR REFUSE TO PROVIDE ELECTRIC SERVICE TO A CUSTOMER
18 SOLELY OR IN PART BECAUSE THE CUSTOMER PARTICIPATES OR HAS APPLIED
19 TO PARTICIPATE IN THE NET METERING PROGRAM. AN ELECTRIC UTILITY OR
20 ALTERNATIVE ELECTRIC SUPPLIER SHALL NOT CHARGE CUSTOMERS WITH
21 HIGHER POWER SUPPLY COSTS THAN SIMILAR NONGENERATING CUSTOMERS
22 SOLELY OR IN PART BECAUSE THE CUSTOMER PARTICIPATES OR HAS APPLIED
23 TO PARTICIPATE IN THE NET METERING PROGRAM.

24 (6) CUSTOMERS WHO HAVE APPLIED TO THE NET METERING PROGRAM
25 SHALL MEET BOTH OF THE FOLLOWING REQUIREMENTS IN ORDER TO ENTER THE
26 PROGRAM:

27 (A) STATEWIDE INTERCONNECTION REQUIREMENTS FOR ALL ELIGIBLE

1 ELECTRIC GENERATORS, AS DETERMINED BY THE COMMISSION. THE
2 INTERCONNECTION REQUIREMENTS SHALL BE DESIGNED TO PROTECT ELECTRIC
3 UTILITY WORKERS AND EQUIPMENT, THE ELECTRIC UTILITY DISTRIBUTION
4 SYSTEM, THE ELECTRIC UTILITY'S OTHER CUSTOMERS, AND THE GENERAL
5 PUBLIC, AND SHALL REQUIRE ALL ELIGIBLE GENERATORS, ALTERNATIVE
6 ELECTRIC SUPPLIERS, AND ELECTRIC UTILITIES TO COMPLY WITH ALL
7 APPLICABLE FEDERAL AND STATE LAWS, RULES, OR REGULATIONS AND ANY
8 NATIONAL STANDARDS.

9 (B) NET METERING EQUIPMENT INSTALLATION MUST MEET ALL CURRENT
10 LOCAL AND STATE ELECTRIC AND CONSTRUCTION CODE REQUIREMENTS. THE
11 COMMISSION MAY SET ADDITIONAL INSTALLATION REQUIREMENTS AND
12 STANDARDS FOR NET METERING PROJECTS IN THIS STATE IN COLLABORATION
13 WITH INDUSTRY GROUPS AND ELECTRIC UTILITIES AND ALTERNATIVE
14 ELECTRIC SUPPLIERS IN THIS STATE.

15 (7) EACH ELECTRIC UTILITY OR ALTERNATIVE ELECTRIC SUPPLIER MAY
16 CHARGE A NET METERING PROGRAM APPLICATION FEE NOT TO EXCEED \$25.00
17 TO BE USED FOR IDENTIFYING INTERESTED PARTIES AND INITIATING THE
18 PROGRAM PROCESS. AN ELECTRIC UTILITY OR ALTERNATIVE ELECTRIC
19 SUPPLIER SHALL NOTIFY CUSTOMERS IF THEY ARE NO LONGER ACCEPTING
20 APPLICATIONS AND REFUND ANY APPLICATION FEES. THE COMMISSION MAY
21 ALLOW CUSTOMERS ALREADY ENROLLED UNDER A PREVIOUS NET METERING
22 PROGRAM TO REENROLL UNDER THE NEW PROGRAM. THOSE CUSTOMERS ARE NOT
23 SUBJECT TO COSTS UNDER SUBSECTIONS (8) AND (9), AND ANY KILOWATT
24 HOUR CREDITS SHALL CARRY OVER TO THE NEW PROGRAM.

25 (8) UPON SETTING UP AN AGREED TO APPOINTMENT TIME WITH THE
26 CUSTOMER, AN ELECTRIC UTILITY SHALL PERFORM OR OBSERVE THE
27 INSPECTION OF A POTENTIAL ELIGIBLE ELECTRIC GENERATOR AS NECESSARY

1 TO DETERMINE WHETHER THE SYSTEM MEETS THE REQUIREMENTS ESTABLISHED
2 UNDER SUBSECTION (6). AN ELECTRIC UTILITY MAY CHARGE A TESTING AND
3 INSPECTION FEE, UP TO \$50.00 FOR RESIDENTIAL CUSTOMERS AND UP TO
4 \$100.00 FOR NONRESIDENTIAL CUSTOMERS FOR EACH VISIT. AN ELECTRIC
5 UTILITY MAY TEST THE SYSTEM AS PART OF THE INSPECTION AT NO
6 ADDITIONAL CHARGE. AN ELECTRIC UTILITY MAY CHARGE FOR ONLY 1 MORE
7 ADDITIONAL INSPECTION VISIT, AND ONLY AFTER A FULL INSPECTION,
8 INCLUDING ALL NECESSARY TESTING, HAS BEEN PREVIOUSLY CONDUCTED AND
9 ADDITIONAL CORRECTIVE ACTION WAS NEEDED FOR THE GENERATOR TO MEET
10 THE REQUIREMENTS ESTABLISHED UNDER SUBSECTION (6). THE COSTS OF
11 MEETING ALL SPECIFIC REQUIREMENTS ESTABLISHED UNDER SUBSECTION (6)
12 ARE THE RESPONSIBILITY OF THE CUSTOMER. THE FEE UNDER THIS
13 SUBSECTION IS NONREFUNDABLE AND SHALL BE ADDED TO THE CUSTOMER'S
14 UTILITY BILL. AFTER 6 MONTHS, THE COMMISSION MAY ALTER THESE FEES
15 OR ESTABLISH ADDITIONAL INSPECTION FEE STANDARDS OVER THE COURSE OF
16 THE PROGRAM.

17 (9) AN ELECTRIC UTILITY MAY CHARGE A 1-TIME INTERCONNECTION
18 FEE TO INSTALL METERS AND GRANT PARALLEL OPERATION FOR GENERATING
19 SYSTEMS THAT MEET THE REQUIREMENTS OF SUBSECTION (6). THE FEE FOR
20 THIS SERVICE WILL BE BASED ON ACTUAL UTILITY COSTS FOR CONNECTION
21 AT THE CUSTOMER'S PHYSICAL SITE AND SHALL BE LIMITED TO THOSE FEES
22 CHARGED OTHER CUSTOMERS OF THE ELECTRIC UTILITY FOR COMPARABLE
23 SERVICES. THE FEE SHALL NOT INCLUDE ANY TRANSMISSION COSTS,
24 DISTRIBUTION COSTS, OR OTHER COSTS AND SHALL NOT EXCEED \$200.00 IN
25 TOTAL FOR RESIDENTIAL CUSTOMERS AND \$700.00 IN TOTAL FOR ALL OTHER
26 CUSTOMERS. THE COSTS SHALL BE SPREAD OUT OVER THE COURSE OF 6
27 BILLING MONTHS, AND THE COMMISSION MAY ADJUST THESE FEES FOR

1 INFLATION ONCE EVERY 5 YEARS. AFTER THE INITIAL INTERCONNECTION,
2 ALL FUTURE INTERCONNECTION, ROUTINE MAINTENANCE, OR UPGRADES ARE
3 SOLELY THE FINANCIAL RESPONSIBILITY OF THE UTILITIES. AFTER 6
4 MONTHS, THE COMMISSION MAY ALTER THESE FEES OR ESTABLISH ADDITIONAL
5 INTERCONNECTION FEE STANDARDS OVER THE COURSE OF THE PROGRAM.

6 (10) AN ELECTRIC UTILITY SHALL ENSURE ITS CUSTOMERS
7 PARTICIPATING IN THE NET METERING PROGRAM HAVE A METER OR METERS
8 CAPABLE OF MEASURING THE FLOW OF ENERGY IN BOTH DIRECTIONS. IF SUCH
9 A METER OR METERS ARE NOT ALREADY PRESENT, THE ELECTRIC UTILITY
10 SHALL PROVIDE THAT METER TO THE CUSTOMER AND THE UTILITY SHALL ONLY
11 CHARGE THE INCREMENTAL COST GREATER THAN THAT FOR METERS PROVIDED
12 BY THE ELECTRIC UTILITY TO SIMILARLY SITUATED NONGENERATING
13 CUSTOMERS TO THE CUSTOMER.

14 (11) ELECTRIC UTILITIES MAY INSTALL ELECTRIC METERS IN A
15 MANNER THAT WILL ALLOW THE DETERMINATION, FOR EACH BILLING PERIOD,
16 OF THE AMOUNT OF ENERGY PRODUCED BY THE ELIGIBLE ELECTRIC
17 GENERATOR, THE ENERGY CONSUMED ON THE CUSTOMER'S SITE, THE ENERGY
18 SUPPLIED BY THE ELECTRIC UTILITY OR ALTERNATIVE ELECTRIC SUPPLIER,
19 AND THE AMOUNT OF ANY EXCESS ENERGY THE ELIGIBLE ELECTRIC GENERATOR
20 DELIVERS TO THE UTILITY DISTRIBUTION SYSTEM DURING THE SAME BILLING
21 PERIOD, AND CAPABLE OF METERING ENERGY ON AN HOURLY BASIS. AN
22 ELECTRIC UTILITY OR THE GENERATING CUSTOMER MAY REQUIRE SUCH A
23 METER TO BE INSTALLED IF THE UTILITY IS REASONABLY ABLE TO INSTALL
24 SUCH A METER IN THE CUSTOMER'S AREA. THE INSTALLATION OF SUCH
25 METERS IS NOT A REQUIREMENT FOR PARTICIPATION IN THE PROGRAM. AN
26 ELECTRIC UTILITY SHALL ONLY CHARGE THE CUSTOMER THE INCREMENTAL
27 COST ABOVE THAT FOR METERS PROVIDED BY THE ELECTRIC UTILITY TO

1 SIMILARLY SITUATED NONGENERATING CUSTOMERS.

2 (12) IF THE QUANTITY OF ELECTRICITY GENERATED BY AN ELIGIBLE
3 ELECTRIC GENERATOR DURING A BILLING PERIOD EXCEEDS THE QUANTITY OF
4 THE CUSTOMER'S TOTAL USAGE DURING THE BILLING PERIOD, THE CUSTOMER
5 SHALL BE CREDITED BY THEIR SUPPLIER OF GENERATION SERVICE FOR THE
6 EXCESS KILOWATT HOURS GENERATED DURING THE BILLING PERIOD. THE
7 KILOWATT HOUR CREDIT SHALL APPEAR ON THE BILL FOR THE FOLLOWING
8 BILLING PERIOD AND BE DETERMINED BY 1 OF THE FOLLOWING:

9 (A) FOR AN ELIGIBLE ELECTRIC GENERATOR WITH ELECTRIC METERS
10 INCAPABLE OF METERING ENERGY AS DESCRIBED UNDER SUBSECTION (11),
11 FOR ENERGY DELIVERED TO THE ELECTRIC UTILITY DISTRIBUTION SYSTEM,
12 CREDIT FOR THE BILLING PERIOD SHALL BE APPLIED BASED ON COMMISSION
13 RATE FORMULAS DESIGNED TO BE THE AVERAGE OF THE MIDWEST INDEPENDENT
14 SYSTEM OPERATOR'S OFF-PEAK LOCATIONAL MARGINAL PRICING AND THE TOP
15 INCREMENTAL COST RETAIL PRICING.

16 (B) FOR AN ELIGIBLE ELECTRIC GENERATOR WITH ELECTRIC METERS
17 CAPABLE OF METERING ENERGY USE ON AN HOURLY BASIS, FOR ENERGY
18 DELIVERED TO THE ELECTRIC UTILITY DISTRIBUTION SYSTEM, CREDIT SHALL
19 BE APPLIED BY COMMISSION DEFINED RATE FORMULAS THAT ARE BASED
20 PRIMARILY ON LOCATIONAL MARGINAL PRICING IN THE MIDWEST INDEPENDENT
21 SYSTEM OPERATOR, FOR EACH HOUR, FOR ALL KILOWATT HOURS DELIVERED
22 DURING THAT HOUR.

23 (C) SUBJECT TO SUBDIVISIONS (A) AND (B), NET EXCESS GENERATION
24 KILOWATT HOURS SHALL BE ACCUMULATED ON A ROLLING BASIS AND APPLIED
25 ON A FIRST-IN, FIRST-OUT BASIS. THE ELECTRIC UTILITY SHALL REDUCE
26 ANY PORTION OF A NET EXCESS GENERATION BALANCE THAT HAS NOT BEEN
27 USED AS AN OFFSET AT THE END OF THE CHOSEN CALENDAR YEAR BY A

1 COMMISSION DETERMINED PERCENTAGE REDUCTION RATE AND THEN COMPENSATE
2 THE CUSTOMERS MINUS ANY OUTSTANDING CUSTOMER DEBTS OWED, AT A
3 COMMISSION DEFINED RATE BASED ON THE AVERAGE OFF-PEAK LOCATIONAL
4 MARGINAL PRICING IN THE MIDWEST INDEPENDENT SYSTEM OPERATOR OVER
5 THE COURSE OF THE YEAR. THE PERCENTAGE REDUCTION RATE SHALL BE AT
6 LEAST 10% TO HELP PAY FOR PROGRAM COSTS, BUT SHALL NOT EXCEED 30%.
7 THE CUSTOMER SHALL PICK WHICH MONTHS SHALL SERVE AS THE BEGINNING
8 AND CORRESPONDING END OF THEIR CALENDAR YEAR, AND CAN CHANGE THIS
9 SELECTION ONCE EVERY 5 YEARS WITHOUT PENALTY.

10 (13) THE COMMISSION SHALL ESTABLISH A MONTHLY FIXED SERVICE
11 CHARGE FOR CUSTOMERS PARTICIPATING IN THE NET METERING PROGRAM
12 BASED ON THE CUSTOMER'S CLASS OF SERVICE. THE SERVICE CHARGE SHALL
13 BE PAID BY NET METERING CUSTOMERS AS A PARTIAL OFFSET FOR
14 TRANSMISSION AND DISTRIBUTION COSTS THE UTILITIES INCUR AS A RESULT
15 OF IMPLEMENTING THE NET METERING PROGRAM AFTER TAKING THE BENEFITS
16 OF THE PROGRAM AS A WHOLE FOR BOTH THE UTILITIES AND THE RATEPAYERS
17 OF THE STATE INTO CONSIDERATION. ACTUAL TRANSMISSION AND
18 DISTRIBUTION COSTS SHALL NOT BE CHARGED TO THE CUSTOMERS.

19 (14) FOR CUSTOMERS WHO PURCHASE GENERATION SERVICE FROM AN
20 ALTERNATIVE ELECTRIC SUPPLIER, THE COMMISSION SHALL DETERMINE WHAT
21 PORTION, IF ANY, OF THE MONTHLY FIXED CHARGES CREATED UNDER
22 SUBSECTION (13) WOULD BE KEPT BY THE ALTERNATIVE ENERGY SUPPLIER
23 AND NOT PASSED ON TO THE ELECTRIC UTILITY.

24 (15) ENERGY GENERATED BY AN ELIGIBLE ELECTRIC GENERATOR UNDER
25 THIS PROGRAM SHALL BE COUNTED AS RENEWABLE ENERGY PRODUCED BY THE
26 ELECTRIC UTILITIES OR ALTERNATIVE ELECTRIC SUPPLIERS, AND ANY
27 RENEWABLE ENERGY CREDIT SHALL ACCRUE TO THE ELECTRIC UTILITY OR

1 ALTERNATIVE ELECTRIC SUPPLIER.

2 (16) AT THE REQUEST OF AN APPLICANT OR CUSTOMER ENROLLED IN
3 THE NET METERING PROGRAM, THE COMMISSION SHALL PROVIDE AN
4 INDEPENDENT THIRD-PARTY OMBUDSMAN TO RESOLVE ALL SUBSTANTIVE ISSUES
5 AND COMPLAINTS BETWEEN THOSE PARTIES AND THE ELECTRICAL UTILITIES
6 OR ALTERNATIVE ELECTRIC SUPPLIERS.

7 (17) A CUSTOMER PARTICIPATING IN THE NET METERING PROGRAM MAY
8 CANCEL AT ANY TIME FOR ANY REASON WITHOUT FINANCIAL PENALTY, BUT
9 MAY HAVE TO FORFEIT ANY UNUSED KILOWATT HOUR CREDITS EXCEPT AS
10 PROVIDED FOR UNDER SUBSECTION (7) OR STANDARDS DEVELOPED BY THE
11 COMMISSION. IN CASES OF TRANSFERS OF OWNERSHIP, THE NEW OWNERS MAY
12 APPLY TO THE PROGRAM AND SHALL BE ALLOWED TO PARTICIPATE IN THE
13 PROGRAM FOR THE REMAINING PERIOD OF THE ORIGINAL ENROLLMENT PERIOD
14 WITHOUT PAYING FOR ANY COSTS UNDER SUBSECTIONS (8) AND (9).

15 (18) THE ELECTRIC UTILITY AND ALTERNATIVE ELECTRIC SUPPLIER
16 SHALL BE HELD HARMLESS FOR ANY AND ALL TYPES OF DAMAGES OR
17 LIABILITY ASSOCIATED WITH THE INSTALLATION OR OPERATION OF THE
18 ELIGIBLE ELECTRIC GENERATOR. ALTERNATIVE ELECTRIC SUPPLIERS SHALL
19 BE HELD HARMLESS FOR ANY AND ALL TYPES OF DAMAGES OR LIABILITY
20 ASSOCIATED WITH THE INTERCONNECTION OF THE ELIGIBLE ELECTRIC
21 GENERATOR.

22 (19) NOTHING IN THIS SECTION PRECLUDES ADDITIONAL NET METERING
23 PROGRAMS FROM BEING CREATED DURING THE TIME PERIOD THIS NET
24 METERING PROGRAM IS IN EFFECT OR HAS CUSTOMERS ENROLLED UNDER IT.