

House Bill 1152

By: Representatives Camp of the 135th, Carson of the 46th, Powell of the 33rd, Persinger of the 119th, Gullett of the 19th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 3 of Title 46 of the Official Code of Georgia Annotated, relating to
2 electrical service, so as to enact "The Georgia Homegrown Solar Act of 2024"; to provide
3 definitions; to allow customers of an electric utility to aggregate demand from multiple
4 locations and subscribe to certain off-site solar facilities; to provide for nondiscriminatory
5 interconnection of such facilities; to provide for consumer protections for customers; to allow
6 customers to access their own meter usage and provide such usage data to authorized third
7 parties; to provide for related matters; to provide an effective date; to repeal conflicting laws;
8 and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Chapter 3 of Title 46 of the Official Code of Georgia Annotated, relating to electrical service,
12 is amended by adding a new part to Article 1, relating to generation and distribution of
13 electricity generally, and amending Article 2, which is reserved, as follows:

14 "Part 5

15 46-3-70.

16 This part shall be known and may be cited as 'The Georgia Homegrown Solar Act of 2024.'

17 46-3-71.

18 (a) The General Assembly finds that it is in the public interest to:

19 (1) Continue to encourage private investment in solar resources in the service territory
20 of Georgia's largest electric utility;

21 (2) Stimulate economic growth and job creation in Georgia;

22 (3) Promote energy resilience; and

23 (4) Enable customers in Georgia, including, but not limited to, individuals, nonprofits,
24 businesses of all sizes, and governments to access solar technologies that help them
25 manage their electric bills.

26 (b) The General Assembly further finds and declares that a program that builds upon the
27 success of Georgia's Cogeneration and Distributed Generation Act of 2001 with respect to
28 the state's electric utility in order to provide increased access to solar technologies is a
29 mechanism that will encourage private investment in solar resources, stimulate economic
30 growth and job creation, promote energy resilience, and help consumers manage their
31 electric bills.

32 46-3-72.

33 As used in this part, the term:

34 (1) 'Aggregated solar facility' means a system that:

35 (A) Generates electric energy that is fueled solely by ambient sunlight and is connected
36 to the electric service provider's distribution system;

37 (B) Is no more than 6 megawatts in alternating current; and

38 (C) Is located within the same electric service territory as the customers it serves.

39 (2) 'Avoided cost' means the incremental cost to an electric utility which, but for the
40 provision of energy and capacity from a solar technology, such electric utility would
41 incur to generate or procure electricity from another source.

42 (3) 'Customer' means any person that uses electric power and receives or is eligible to
43 receive tariffed services from an electric utility.

44 (4) 'Electric utility' means any retail supplier of electricity whose rates are fixed by the
45 commission, and shall not include any electric membership corporation or municipal
46 electric utility.

47 (5) 'Interconnection Working Group' means the group established by the commission
48 under Code Section 46-3-74 to make recommendations related to interconnection of
49 aggregated solar facilities.

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

52 (7) 'Solar financing agent' means any person, including an electric utility and an affiliate,
53 whose business includes the leasing, financing, or installation of aggregated solar
54 facilities.

55 (8) 'Solar meter aggregation' means the administrative combination of kilowatt-hour
56 meter readings based on the energy generated from an aggregated solar facility by a solar
57 financing agent to be provided to a customer's electric utility in order to properly allocate
58 bill credits from one or more aggregated solar facilities to the customer's accounts.

59 (9) 'Subscriber administrator' means an entity that:

60 (A) Administers customer participation in aggregated solar facilities; or

61 (B) Manages the subscription relationship between customers and the electric utility.

62 (10) 'Subscription' means a contract between a customer and a subscriber administrator
63 or solar financing agent of an aggregated solar facility that entitles the customer to bill
64 credits that can be applied against the customer's electric bill.

65 46-3-73.

66 On or before January 1, 2025, each electric utility shall submit for commission review and
67 approval a tariff providing for solar meter aggregation that meets the following
68 requirements:

69 (1) Customers may enter into an agreement with a solar financing agent for the
70 installation, maintenance, and operation of an aggregated solar facility that is located in
71 the territory of such customers' electric utility. The solar financing agent or the solar
72 financing agent's designated subscriber administrator may sell subscriptions of the
73 capacity or energy generated from the aggregated solar facility to such customers;
74 provided, however, that such subscriptions shall be sized such that the estimated credits
75 do not exceed 125 percent of the subscriber's average annual bill for the customer account
76 to which the subscription is attributed. Such transactions shall not be considered retail
77 sales of electricity and shall not subject the solar financing agent to regulation under this
78 chapter. The solar financing agent shall meter the energy generated from the aggregated
79 solar facility pursuant to each subscription by a customer and provide such metering
80 information, along with the amount of energy allocated to each customer pursuant to a
81 subscription agreement, to the electric utility in whose service territory the aggregated
82 solar facility is located;

83 (2) An electric utility shall provide solar meter aggregation to all customers that seek to
84 allocate bill credits within a single electric utility's service territory from one or more
85 aggregated solar facilities. Each electric utility shall allocate credits to such a customer's
86 bill pursuant to a bill credit rate mechanism derived from the utility's total aggregate retail
87 rate on a per-customer-class basis, less the commission approved distribution cost
88 components, and identify all proposed rules, regulations, fees, and charges. Such bill
89 credit mechanism shall reasonably allow for the creation, financing, and accessibility of
90 aggregated solar facilities;

- 91 (3) Subscribers may elect to have bill credits from one or more aggregated solar facilities
92 allocated to the customer's accounts within the service territory without regard to physical
93 location;
- 94 (4) Excess credits on a subscriber's bill shall roll over from month to month until the end
95 of each calendar year. Excess credits shall automatically be applied to the final electric
96 bill when a subscription is terminated for any cause;
- 97 (5) Fees imposed, if any, on the subscriber by an electric utility that do not apply to other
98 customers in the same customer class, including customers that are not subscribers, shall
99 be:
- 100 (A) Just, reasonable, and nondiscriminatory;
101 (B) Based on the actual cost of providing the service for which the fee is imposed; and
102 (C) Approved by the commission, after public notice and an opportunity for public
103 comment;
- 104 (6) All renewable energy credits that are associated with the generation of electricity by
105 an aggregated solar facility are the property of the solar financing agent and may be
106 retired or transferred by the solar financing agent or retired on behalf of subscribers; and
107 (7) Unsubscribed energy shall be purchased by an electric utility at avoided cost.

108 46-3-74.

- 109 (a) On and after July 1, 2024, an electric utility shall accept interconnection applications
110 for aggregated solar facilities on a nondiscriminatory basis and study the impact of
111 interconnecting the facilities to the grid using the current commission approved
112 interconnection rules, regulations, standards, and tariffs and in accordance with best
113 practices.
- 114 (b) On or before October 1, 2024, the commission shall establish an Interconnection
115 Working Group between electric utilities and stakeholders with oversight from commission
116 staff. The Interconnection Working Group shall review and recommend changes or

117 adoption of any policies, processes, rules, regulations, standards, and tariffs associated with
118 the interconnection of aggregated solar facilities with the goal of transparency, accuracy,
119 and efficiency to support the achievement of the objectives in this part. The
120 Interconnection Working Group shall report its findings and recommendations to the
121 commission on or before May 1, 2025. The commission shall review the findings and
122 recommendations of the Interconnection Working Group and take any action that the
123 commission deems necessary.

124 46-3-75.

125 On or before October 1, 2024, each electric utility shall file for commission review and
126 approval a standard interconnection agreement for aggregated solar facilities that meets the
127 following requirements:

128 (1) An electric utility may recover any direct costs associated with interconnecting and
129 administering metering services as approved by the commission. Any fees imposed shall
130 be:

131 (A) Just, reasonable, and nondiscriminatory;

132 (B) Based on the actual cost of providing the service for which the fee is imposed; and

133 (C) Approved by the commission, after public notice and an opportunity for public
134 comment;

135 (2) An aggregated solar facility shall include, at the interconnection applicant's own
136 expense, all equipment necessary to meet applicable safety, power quality, and
137 interconnection requirements established by the National Electrical Code, National
138 Electrical Safety Code, Institute of Electrical and Electronics Engineers, and
139 Underwriters Laboratories;

140 (3) An electric utility shall not require an interconnection applicant whose aggregated
141 solar facility meets the standards in paragraph (2) of this Code section to comply with

142 additional safety or performance standards, perform or pay for additional tests, or
143 purchase additional liability insurance; and

144 (4) No electric utility shall be liable to any person, directly or indirectly, for loss of
145 property, injury, or death resulting from the interconnection of an aggregated solar
146 facility to its electrical system.

147 46-3-76.

148 (a) The commission may establish rules and regulations that provide for the protection of
149 customers that have subscriptions with an aggregated solar facility.

150 (b) The commission shall develop standardized customer disclosure forms for customers
151 that identify key information that must be provided by subscriber administrators to
152 potential subscribers, including future costs and benefits of subscriptions and subscribers'
153 rights and obligations pertaining to subscriptions.

154 (c) Subscription costs for subscribers may not exceed the value of the bill credit and may
155 not include any upfront or sign-on fees. Failure to pay a subscription may result in the loss
156 of community solar subscription but shall not impact utility services.

157 (d) On or before January 1, 2025, the electric utility shall file for commission review a data
158 access program. Such data access program shall be designed to better enable customers'
159 investments in or subscriptions to conservation and clean energy technologies, including,
160 but not limited to, photovoltaic solar, energy efficiency technologies, battery storage, smart
161 thermostats, and electric vehicles. Following public notice and an opportunity for public
162 comment, the commission shall adopt or amend such proposed process, which the electric
163 utility shall make available to customers within nine months of the commission's final
164 order. An electric utility's data access program shall conform to the following
165 requirements:

166 (1) As part of basic utility service, an electric utility shall provide meter usage data in
167 electronic machine readable form, without additional charge, to the customer or to any

168 third-party recipient to whom the customer has authorized disclosure of the customer's
169 meter usage data. Such access shall conform to nationally recognized open standards and
170 best practices and shall be provided in 15 minute intervals or the shortest interval
171 available through existing meters;

172 (2) An electric utility shall maintain and provide at least 24 months of meter usage data
173 or the period of time that a customer has had an account at a given address, whichever is
174 less; and

175 (3) If requests are made for information other than meter usage data or data older than
176 24 months preceding the request, the electric utility may charge customers a fee to
177 provide such data. A reasonable fee shall be established by the commission based on the
178 electric utility's marginal cost to provide such data."

179 "ARTICLE 2

180 ~~46-3-70.~~ 46-3-80.

181 Reserved."

182 **SECTION 2.**

183 This Act shall become effective on July 1, 2024.

184 **SECTION 3.**

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