

I MINA' TRENTA NA LIHESLATURAN GUÅHAN
2010 (SECOND) REGULAR SESSION

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Bill No. 320-30(COR)

Introduced by:

v.c. pangelinan

AN ACT TO AMEND §8501, §8502(2)(c) AND §8312
OF CHAPTER 8, 12 GUAM CODE ANNOTATED
RELATIVE TO NET METERING.

BE IT ENACTED BY THE PEOPLE OF GUAM:

1 **SECTION 1. Legislative findings and intent.** *I Liheslaturan Guahan* finds
2 that GPA has determined that the installation of alternative energy generation capacity
3 will require a large investment which according to GPA will increase the cost of
4 electricity to GPA's entire customer base. The Legislature finds there is substantial
5 interest by private parties to make these investments on their own if they are allowed
6 access to the net metering program. Expanding the development of alternative energy
7 customer installed units by not limiting the kilowatts capacity of these privately
8 financed and installed alternative energy units to participate in the net metering
9 program, integration onto the grid will be available to more customers. It will also
10 ensure that the cost of the financing and installation of these alternative energy
11 generating units are fully paid for by private parties and will not be passed on to other
12 GPA customers.

1 It is further the intent of *I Liheslaturan Guahan* to amend §8312 Chapter 8, 12
2 Guam Code Annotated, relative to Guam Power Authority’s alternative energy
3 production capacity percentage requirement. GPA shall be allowed to use the rated
4 generation capacity of these privately installed alternative energy generating units.

5 **SECTION 2. Section 8502 (2)(c) Chapter 8, 12 Guam Code Annotated is**
6 **hereby amended to read as follows:**

7 “(c) Net Metering System’ means a facility for the production of
8 electrical energy that:

9 (1) uses fuel cells, micro turbines, wind, biomass, hydroelectric,
10 solar energy or a hybrid system consisting of these facilities, as its
11 primary source of fuel;

12 ~~(2) has a generating capacity of not more than twenty five (25)~~
13 ~~kilowatts;~~

14 (2) is located on the customer-generator’s premises;

15 (3) operates in parallel with the utility’s transmission and distribution
16 facilities; and

17 (4) is intended primarily to offset part or all of the customer-generator’s
18 requirements for electricity.”

19 **SECTION 3. Section 8312 Chapter 8, 12 Guam Code Annotated is hereby**
20 **amended to read as follows:**

1 “§8312. Same. The Guam Power Authority *shall* undertake all necessary
2 investments *or* outsourcing agreements, including, automatic generation control, so as
3 to provide for the maximum feasible ability to add renewable resources to the Island-
4 wide Power System. Each customer-generator based installation *shall* be credited to
5 Guam Power Authority pursuant to the energy percentage requirement intent in this
6 bill. The Public Utilities Commission is directed to deem such renewable resource as
7 prudent costs for purposes of rate setting to ensure such investments do *not* hinder the
8 Guam Power Authority’s financial stability to support the capital activities associated
9 with the intent of this Public Law.”

10 **SECTION 4. Severability.** If any of the provisions of this Act or the
11 application thereof to any person or circumstance is held invalid, such invalidity shall
12 not affect any other provision or application of this Act which can be given effect
13 without the invalid provision or application, and to this end the provisions of this Act
14 are severable.