

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
2024 (SECOND) Regular Session

Bill No. 332-37 (COR)

Introduced by:

William A. Parkinson



AN ACT TO AMEND § 8601. (i)(2), § 8602. (a), (b) AND (d), AND § 8603. (a) AND (b) OF ARTICLE 6, CHAPTER 8, TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO VIRTUAL POWER PLANT PROGRAM.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. § 8601. (i)(2) of Article 6, Chapter 8, Title 12, Guam Code Annotated is hereby amended to read:

“§ 8601. Legislative Findings and Intent.

(i) Moreover, it is the intent of *I Liheslatura*:

(2) to provide access to qualified homeowners, businesses, government agencies and non-profit organizations who wish to participate as Solar Hosts of ~~rooftop~~ solar photovoltaic systems;”

Section 2. § 8602. (a), (b) and (d) of Article 6, Chapter 8, Title 12, Guam Code Annotated is hereby amended to read:

“§ 8602. Definitions.

(a) *Virtual Power Plant Program* (VPPP) means a network of distributed energy resources (DER), such as rooftop solar photovoltaic systems and battery energy storage systems that are hosted on the land or rooftops of eligible homeowners, businesses, government agencies and non-profit organizations, to generate and store electricity at a local level. This network of Solar Hosts is contracted through a Developer and managed by GPA through aggregation software that can control the production, storage, and output of energy from these systems as if this network of ~~rooftop~~ solar systems and battery energy storage systems were a single power plant.

(b) Solar Host means a qualified homeowner, business owner, government of Guam agency or nonprofit-organization whose house, land, commercial building, or government-owned building at which the electricity-generating and energy storage

1 equipment is installed, owned, operated, and maintained by the Developer and who is not
2 a current customer-generator under the Net Metering System. The Solar Host is then
3 compensated for leasing their land or rooftop space through credits that are awarded to
4 offset or reduce their power bill or direct lease payments from the Developer. The energy
5 generated by the Developer will be sold to the utility at a negotiated rate between the utility
6 and the Developer.

7 (d) Developer means a licensed solar development business ~~that is owned and~~
8 ~~operated by a legal resident of Guam.~~ or a 501(c)3 non-profit organization registered to do
9 business in Guam or a consortium including any of the two such organizations.”

10 **Section 3.** § 8603. (a) and (b) of Article 6, Chapter 8, Title 12, Guam Code Annotated
11 is hereby amended to read:

12 **“§ 8603. Virtual Power Plant Program.**

13 (a) The Guam Power Authority (GPA) shall establish a Virtual Power Plant
14 Program (VPPP) within nine (9) months of enactment of this Article and approval by the
15 Guam Public Utilities Commission (PUC), or ninety (90) days after approval by the Guam
16 Public Utilities Commission (PUC) whichever is earlier, pursuant to § 8311 of Article 3 of
17 this Title, whereby qualified businesses, homeowners, government of Guam agencies, and
18 non-profit organizations are able to host a solar photovoltaic system ~~on their rooftop~~ and
19 battery energy storage systems; and government of Guam-owned buildings shall be the
20 first preference to be Solar Hosts. Developers must provide battery energy storage system
21 capacity necessary to address intermittency and power quality issues. The VPPP shall
22 initially be capped at twenty megawatts (20 MW) of participation, at which time GPA shall
23 assess the impact on the island-wide power system, ratepayers, reliability, and feasibility
24 for an expanded VPPP. Additional VPPP phases and the terms of such, including contract
25 agreement and program capacity ceilings, must be approved by the PUC. The VPPP shall
26 also include the software and computers necessary to manage the production, storage, and
27 output of electricity generated by the network of Solar Hosts in the Virtual Power Plant
28 Program.

29 (b) GPA shall enter into agreement(s) with solar energy developers for the
30 installation, ownership, maintenance, and/or operation of equipment necessary to create a
31 Virtual Power Plant Program, as defined in § 8602(a) of this Article, providing for the use
32 of qualified ~~rooftops~~ premises for electricity generated and sold to the utility and to be used
33 by the community.”

1 **Section 4. Effective Date:** This Act shall be effective upon enactment.

2 **Section 5. Severability.** If any of the provisions of this Act or the application thereof to
3 any person or circumstance is held invalid, such invalidity shall not affect any other provision or
4 application of this Act which can be given effect without the invalid provision or application, and
5 to this end the provisions of this Act are severable.