



AUGUST 2010

## New York Revises Net Metering Rules

The New York State Public Service Commission (PSC) recently approved (1) revised net-metering tariffs that will eliminate peak load limitations on the size of nonresidential solar or wind electric-generating equipment, and (2) revised Standardized Interconnection Requirements that change the amounts for which customer-generators will be responsible in order to install safety and other equipment.

The tariffs were filed by the major electric utilities in the state and became effective on July 23. The purpose of the revisions was to conform the tariffs with changes to the New York net-metering law at Public Service Law (PSL) Sections 66-j and 66-l, which became effective earlier this year. Specifically, before the amendments, PSL Sections 66-j and 66-l limited nonresidential solar and wind net-metered customers to generating equipment to the lesser of a rated capacity of 2 MW or the customer's peak load over the prior 12-month period. The amendments, and the resulting tariffs, eliminate the peak load limitation on the size of a nonresidential customer's solar or wind electric-generating equipment, thus regardless of their prior 12-month peak load nonresidential customers may be eligible for net metering if their equipment has a rated capacity of up to 2 MW. As a result, nonresidential net-metered customers will be able to sell more electricity back to the utility.

The legislative amendments also revise the cost responsibility of customer-generators for dedicated transformers or other equipment required to ensure the safety and adequacy of electricity service provided to utility customers. Under the PSL, the customer-generator is responsible for paying the electric utility's actual cost to install such equipment. Before the amendments, the customer's maximum cost responsibility for such equipment was set by the PSC at \$5,000; however, under the revised tariffs and Standardized Interconnection Requirements, the cost responsibility of installation for nonresidential customer-generators with solar or wind equipment, with a rated capacity of more than 25 kW and up to 2 MW, will be determined by the utility, subject to PSC review upon request of the customer. For nonresidential customer-generators with solar equipment, with a capacity of 25 kW or less, the amendments cap the maximum contribution at \$350, and the contribution for residential, farm, or nonresidential customer-generators with wind-generating equipment, with a capacity of 25 kW or less, is capped at \$750.

New York's current net metering rules are summarized below:

Eligible Technology	Solar	Biogas	Micro CHP/Fuel Cell	Wind
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<b>Applicable Sectors</b>	Residential	Nonresidential	Farm Waste	Residential	Residential	Nonresidential	Farm Service Waste
<b>Limit on System Size</b>	25 kW	2 MW	500 kW	10 kW	25 kW	2 MW	500 kW
<b>Limit on Overall Enrollment</b>	1 % of 2005 demand per investor-owned utility				0.3% of 2005 demand per investor-owned utility		

The current equipment cost responsibility is as follows:

<b>Generator Type</b>	<b>Generating Capacity</b>	<b>Maximum Equipment Cost Responsibility</b>
Micro Combined Heat & Power/ Fuel Cell	Less than or equal to 10 kW	\$350
Solar	Less than or equal to 25 kW	\$350
Solar	Over 25 kW, up to 2 MW	As determined by utility*
Wind	Less than or equal to 25 kW	\$750
Wind	Over 25 kW, up to 2 MW	As determined by utility*
Farm Wind	Over 25 kW, up to 500 kW	\$5,000
Farm Waste	Up to 500 kW	\$5,000

\* Subject to PSC review upon request of the customer

For more information on these developments or other energy-related questions in New York, please contact one of the following attorneys:

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