

SENATE BILL 613

C5, M5

3lr1183
CF 3lr0688

By: **Senators Brooks, Feldman, M. Washington, King, Kramer, Zucker, and Elfreth**
Introduced and read first time: February 6, 2023
Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **Electricity – Community Solar Energy Generating Systems Program**

3 FOR the purpose of making permanent the Community Solar Energy Generating Systems
4 Pilot Program; requiring a community solar energy generating system under the
5 Program to serve a certain percentage of its kilowatt-hour output to low-income and
6 moderate-income subscribers under certain circumstances; authorizing a
7 subscription coordinator to act on behalf of a subscriber organization; altering
8 requirements related to the siting and size of certain community solar energy
9 generating systems projects; authorizing the use of consolidated billing for certain
10 subscription charges; requiring an electric company to provide certain data to a
11 subscriber organization or subscription coordinator; authorizing an electric company
12 to charge a certain fee for the use of consolidated billing; requiring a person
13 constructing or operating a community solar energy generating system to address
14 critical area, climate resilience, and forest conservation concerns in a certain
15 manner; requiring the Public Service Commission to establish a stakeholder
16 workgroup related to the development of certain regulations; requiring the
17 Commission to adopt certain regulations making the pilot program permanent,
18 allowing for the use of consolidated billing, and implementing the provisions of this
19 Act; requiring the Commission to consider and implement certain methodologies to
20 allow tenants of master-metered residential facilities to participate in the Program;
21 repealing provisions related to maintenance of subscriptions if a subscriber has a
22 change of address; creating a full-time position within the Commission for a certain
23 purpose; and generally relating to the Community Solar Energy Generating Systems
24 Program.

25 BY repealing and reenacting, with amendments,
26 Article – Public Utilities
27 Section 7–306.2
28 Annotated Code of Maryland
29 (2020 Replacement Volume and 2022 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Public Utilities

7–306.2.

(a) (1) In this section the following words have the meanings indicated.

(2) **“AGRIVOLTAICS” MEANS THE SIMULTANEOUS USE OF AREAS OF
LAND FOR BOTH SOLAR POWER GENERATION AND AGRICULTURE.**

(3) “Baseline annual usage” means:

(i) a subscriber’s accumulated electricity use in kilowatt–hours for
the 12 months before the subscriber’s most recent subscription; or

(ii) for a subscriber that does not have a record of 12 months of
electricity use at the time of the subscriber’s most recent subscription, an estimate of the
subscriber’s accumulated 12 months of electricity use in kilowatt–hours, determined in a
manner the Commission approves.

[(3)] (4) “Community solar energy generating system” means a solar
energy system that:

(i) is connected to the electric distribution grid serving the State;

(ii) is located in the same electric service territory as its subscribers;

(iii) is attached to the electric meter of a subscriber or is a separate
facility with its own electric meter;

(iv) credits its generated electricity, or the value of its generated
electricity, to the bills of the subscribers to that system through virtual net energy
metering;

(v) has at least two subscribers but no limit to the maximum number
of subscribers;

(vi) does not have subscriptions larger than 200 kilowatts
constituting more than 60% of its **[subscriptions] KILOWATT–HOUR OUTPUT;**

(vii) has a generating capacity that does not exceed 5 megawatts as
measured by the alternating current rating of the system’s inverter; **[and]**

(viii) may be owned by any person; **AND**

(IX) WITH RESPECT TO THE PROGRAM, SERVES AT LEAST 40% OF ITS KILOWATT-HOUR OUTPUT TO LMI SUBSCRIBERS UNLESS THE SOLAR ENERGY SYSTEM IS WHOLLY OWNED BY THE SUBSCRIBERS TO THE SOLAR ENERGY SYSTEM.

(5) "CONSOLIDATED BILLING" MEANS A PAYMENT MECHANISM THAT REQUIRES AN ELECTRIC COMPANY TO, AT THE REQUEST OF A SUBSCRIBER ORGANIZATION OR SUBSCRIPTION COORDINATOR:

(I) INCLUDE THE MONTHLY SUBSCRIPTION CHARGE OF A SUBSCRIBER ORGANIZATION OR SUBSCRIPTION COORDINATOR ON THE MONTHLY BILLS RENDERED BY THE ELECTRIC COMPANY FOR ELECTRIC SERVICE AND SUPPLY TO SUBSCRIBERS; AND

(II) REMIT PAYMENT RECEIVED FOR THOSE CHARGES TO THE SUBSCRIBER ORGANIZATION OR SUBSCRIPTION COORDINATOR.

(6) "CRITICAL AREA" HAS THE MEANING STATED IN § 8-1802 OF THE NATURAL RESOURCES ARTICLE.

(7) "LMI SUBSCRIBER" MEANS A SUBSCRIBER THAT:

(I) IS LOW-INCOME;

(II) IS MODERATE-INCOME; OR

(III) RESIDES IN A CENSUS TRACT THAT IS AN:

1. OVERBURDENED COMMUNITY; AND

2. UNDERSERVED COMMUNITY.

(8) "LOW-INCOME" MEANS:

(I) HAVING AN ANNUAL HOUSEHOLD INCOME THAT IS AT OR BELOW 200% OF THE FEDERAL POVERTY LEVEL; OR

(II) BEING CERTIFIED AS ELIGIBLE FOR ANY FEDERAL, STATE, OR LOCAL ASSISTANCE PROGRAM THAT LIMITS PARTICIPATION TO HOUSEHOLDS WHOSE INCOME IS AT OR BELOW 200% OF THE FEDERAL POVERTY LEVEL.

(9) “MODERATE-INCOME” MEANS HAVING AN ANNUAL HOUSEHOLD INCOME THAT IS AT OR BELOW 80% OF THE MEDIAN INCOME FOR MARYLAND.

(10) “OVERBURDENED COMMUNITY” HAS THE MEANING STATED IN § 1-701 OF THE ENVIRONMENT ARTICLE.

(11) “PILOT PROGRAM” MEANS THE PROGRAM ESTABLISHED UNDER THIS SECTION BEFORE OCTOBER 1, 2023.

[(4)] (12) “Program” means the Community Solar Energy Generating Systems [Pilot] Program.

(13) “QUEUE” MEANS:

(I) THE PILOT PROGRAM QUEUE AN ELECTRIC COMPANY IS REQUIRED TO MAINTAIN UNDER COMAR 20.62.03.04; AND

(II) A QUEUE AN ELECTRIC COMPANY MAY BE REQUIRED TO MAINTAIN UNDER THE PROGRAM.

[(5)] (14) “Subscriber” means a retail customer of an electric company that:

(i) holds a subscription to a community solar energy generating system; and

(ii) has identified one or more individual meters or accounts to which the subscription shall be attributed.

[(6)] (15) “Subscriber organization” means:

(i) a person that owns or operates a community solar energy generating system; or

(ii) the collective group of subscribers of a community solar energy generating system.

[(7)] (16) “Subscription” means the portion of the electricity generated by a community solar energy generating system that is credited to a subscriber.

(17) “SUBSCRIPTION COORDINATOR” MEANS A PERSON THAT:

(I) MARKETS COMMUNITY SOLAR ENERGY GENERATING SYSTEMS OR OTHERWISE PROVIDES SERVICES RELATED TO COMMUNITY SOLAR ENERGY GENERATING SYSTEMS UNDER ITS OWN BRAND NAME;

1 **(II) PERFORMS ANY ADMINISTRATIVE ACTION TO ALLOCATE**
2 **SUBSCRIPTIONS, CONNECT SUBSCRIBERS WITH COMMUNITY SOLAR ENERGY**
3 **GENERATING SYSTEMS, OR ENROLL CUSTOMERS IN THE PROGRAM; OR**

4 **(III) MANAGES INTERACTIONS BETWEEN A SUBSCRIBER**
5 **ORGANIZATION AND AN ELECTRIC COMPANY OR ELECTRICITY SUPPLIER RELATING**
6 **TO SUBSCRIBERS.**

7 **(18) “UNDERSERVED COMMUNITY” HAS THE MEANING STATED IN §**
8 **1-701 OF THE ENVIRONMENT ARTICLE.**

9 **[(8)] (19)** “Unsubscribed energy” means any community solar energy
10 generating system output in kilowatt-hours that is not allocated to any subscriber.

11 **[(9)] (20)** “Virtual net energy metering” means measurement of the
12 difference between the kilowatt-hours or value of electricity that is supplied by an electric
13 company and the kilowatt-hours or value of electricity attributable to a subscription to a
14 community solar energy generating system and fed back to the electric grid over the
15 subscriber’s billing period, as calculated under the tariffs established under [subsection]
16 **SUBSECTIONS (e)(2), (F)(2), AND (G)(2)** of this section.

17 (b) The General Assembly finds that:

18 (1) community solar energy generating systems:

19 (i) provide residents and businesses, including those that lease
20 property, increased access to local solar electricity while encouraging private investment in
21 solar resources;

22 (ii) enhance continued diversification of the State’s energy resource
23 mix to achieve the State’s renewable energy portfolio standard and Greenhouse Gas
24 Emissions Reduction Act goals; and

25 (iii) provide electric companies and ratepayers the opportunity to
26 realize the many benefits associated with distributed energy; and

27 (2) it is in the public interest that the State enable the development and
28 deployment of energy generation from community solar energy generating systems in order
29 to:

30 (i) allow renters and low-income and moderate-income retail
31 electric customers to own an interest in a community solar energy generating system;

32 (ii) facilitate market entry for all potential subscribers while giving
33 priority to subscribers who are the most sensitive to market barriers; and

(iii) encourage developers to promote participation by renters and low-income and moderate-income retail electric customers.

(c) A community solar energy generating system, [including a] subscriber [or], subscriber organization [associated with the community solar energy generating system], **OR SUBSCRIPTION COORDINATOR** is not:

(1) an electric company;

(2) an electricity supplier; or

(3) a generating station if the generating capacity of the community solar energy generating system does not exceed 2 megawatts.

(d) (1) (i) The Commission shall establish [a pilot program for] **AND MAINTAIN** a Community Solar Energy Generating [System] **SYSTEMS** Program.

(ii) The structure of the [pilot program] **PROGRAM** is as provided in this subsection.

(2) All rate classes may participate in the [pilot program] **PROGRAM**.

(3) Subscribers served by electric standard offer service, community choice aggregators, and electricity suppliers may hold subscriptions to the same community solar energy generating system.

(4) A subscriber organization **OR SUBSCRIPTION COORDINATOR ACTING ON BEHALF OF A SUBSCRIBER ORGANIZATION** shall:

(i) determine how to allocate subscriptions to subscribers; and

(ii) notify an electric company and, if applicable, a relevant electricity supplier about **THE ALLOCATION OF SUBSCRIPTIONS IN ACCORDANCE WITH** the regulations the Commission adopts under subsection (e) of this section.

(5) An electric company shall use the tariff structure under [subsection] **SUBSECTIONS (e)(2), (F)(2), AND (G)(2)** of this section to provide each subscriber with the credits.

(6) A subscriber may not receive credit for virtual net excess generation that exceeds 200% of the subscriber's baseline annual usage.

(7) Any unsubscribed energy generated by a community solar energy generating system that is not owned by an electric company shall be purchased under the electric company's process for purchasing the output from qualifying facilities at the amount it would have cost the electric company to procure the energy.

(8) An electric company shall use energy generated from a community solar energy generating system to offset purchases from wholesale electricity suppliers for standard offer service.

(9) All costs associated with small generator interconnection standards under COMAR 20.50.09 are the responsibility of the subscriber organization.

(10) A subscriber organization may petition an electric company to coordinate the interconnection and commencement of operations of a community solar energy generating system after the Commission adopts regulations required under subsection (e) of this section.

(11) A subscriber organization may contract with a third party for the third party to finance, build, own, or operate a community solar energy generating system.

(12) A municipal utility or cooperative utility may participate in the [pilot program] **PROGRAM.**

(13) **(I) [Equipment for] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH,** a community solar energy generating system may not be [built] **LOCATED** on [contiguous parcels of land unless the equipment is installed only on building rooftops] **THE SAME OR AN ADJACENT PARCEL OF LAND AS AN EXISTING OR PROPOSED COMMUNITY SOLAR ENERGY GENERATING SYSTEM IF THE TOTAL INSTALLED CAPACITY OF ALL GENERATING SYSTEMS ON THE SAME OR ADJACENT PARCEL WOULD EXCEED 5 MEGAWATTS.**

(II) THE PROHIBITION UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH DOES NOT APPLY TO PROJECTS CONSTRUCTED:

- 1. ON THE ROOFTOPS OF BUILDINGS;**
- 2. IN AREAS THAT ARE ZONED FOR INDUSTRIAL USE;**
- 3. ON BROWNFIELDS LOCATIONS AND CLEAN FILL SITES;**
- 4. OVER PARKING LOTS OR ROADWAYS;**
- 5. ON MULTILEVEL PARKING STRUCTURES;**
- 6. ON OR OVER TRANSPORTATION OR PUBLIC RIGHTS-OF-WAY;**
- 7. AT AIRPORTS;**

8. ON LAND THAT:

A. WAS PREVIOUSLY ZONED FOR INDUSTRIAL USE OR IS
ECOLOGICALLY COMPROMISED; AND

B. IS NOT TARGETED FOR MITIGATION OR
RESTORATION; OR

9. IN ANY LOCATION IF:

A. THE COMBINED CAPACITY OF ALL GENERATING
SYSTEMS ON THE SAME OR ADJACENT PARCEL DOES NOT EXCEED 10 MEGAWATTS;
AND

B. AT LEAST 75% OF THE AGGREGATE CAPACITY OF THE
CO-LOCATED COMMUNITY SOLAR ENERGY GENERATING SYSTEMS SERVES LMI
SUBSCRIBERS OR IS USED FOR AGRIVOLTAICS.

(14) A SUBSCRIBER ORGANIZATION OR SUBSCRIPTION COORDINATOR
MAY ELECT FOR A SUBSCRIBER TO PARTICIPATE IN CONSOLIDATED BILLING.

(15) AN ELECTRIC COMPANY SHALL PROVIDE ACCESS TO CUSTOMER
BILLING AND USAGE DATA TO A SUBSCRIBER ORGANIZATION OR SUBSCRIPTION
COORDINATOR IF THE CUSTOMER PROVIDES TO THE ELECTRIC COMPANY
AFFIRMATIVE CONSENT THAT IS ACCOMPANIED BY A WRITTEN OR ELECTRONIC
SIGNATURE.

(16) AN ELECTRIC COMPANY MAY REQUIRE A FEE FOR SUBSCRIBER
ORGANIZATIONS OR SUBSCRIPTION COORDINATORS THAT USE CONSOLIDATED
BILLING IF THE FEE DOES NOT EXCEED 1% OF THE CREDIT VALUE TO THE
SUBSCRIBER.

(17) A SUBSCRIBER ORGANIZATION OR SUBSCRIPTION COORDINATOR
MAY NOT PROHIBIT A SUBSCRIBER FROM ENROLLING WITH AN ELECTRICITY
SUPPLIER FOR ELECTRIC SERVICE OR SUPPLY.

(18) A COMMUNITY SOLAR ENERGY GENERATING SYSTEM ON AN
ELECTRIC COMPANY QUEUE UNDER THE PILOT PROGRAM ON SEPTEMBER 30, 2023,
SHALL RETAIN THE QUEUE POSITION UNDER THE PROGRAM.

(19) IN CONSTRUCTING OR OPERATING A COMMUNITY SOLAR ENERGY
GENERATING SYSTEM, A PERSON SHALL ADDRESS CRITICAL AREA, CLIMATE
RESILIENCE, AND FOREST CONSERVATION CONCERNS BY COMPLYING WITH THE

FOREST CONSERVATION ACT AND OTHER RELEVANT STATE AND LOCAL ENVIRONMENTAL LAWS AND REGULATIONS PERTAINING TO THE CRITICAL AREA, CLIMATE RESILIENCE, AND FOREST CONSERVATION.

[(14)] (20) The **[pilot program] PROGRAM** shall:

(i)] begin on the earlier of:

[1.] (I) the date of submission of the first petition of a subscriber organization under paragraph (10) of this subsection after the Commission adopts the regulations required under subsection **[(e)] (F)** of this section; or

[2.] (II) 6 months after the Commission adopts those regulations; and

(ii) end 7 years after the beginning date, but not sooner than December 31, 2024.

(15) The Commission shall limit the pilot program in such a way that the Commission may conduct a meaningful study of the pilot program and its results, including:

(i) the appropriate number of community solar energy generating systems to be included in the pilot program;

(ii) the appropriate amount of generating capacity of the community solar energy generating systems to be included in the pilot program and the annual capacity limits for each program category, each of which should increase throughout the duration of the pilot program; and

(iii) a variety of appropriate geographical areas in the State for locating community solar energy generating systems to be included in the pilot program].

(e) On or before May 15, 2016, the Commission shall adopt regulations to implement this section, including regulations for:

(1) consumer protection;

(2) a tariff structure for an electric company to provide a subscriber with the kilowatt-hours or value of the subscriber's subscription, as the Commission determines;

(3) a calculation for virtual net energy metering as the Commission determines;

(4) a protocol for electric companies, electricity suppliers, and subscriber organizations to communicate the information necessary to calculate and provide the

1 monthly electric bill credits and yearly net excess generation payments required by this
2 section; and

3 (5) a protocol for a subscriber organization to coordinate with an electric
4 company for the interconnection and commencement of operations of a community solar
5 energy generating system.

6 (F) (1) SUBJECT TO SUBSECTION (H) OF THIS SECTION, TO IMPLEMENT
7 THE PROGRAM, THE COMMISSION SHALL, ON OR BEFORE OCTOBER 1, 2024, ADOPT
8 REVISIONS TO THE REGULATIONS ADOPTED UNDER SUBSECTION (E) OF THIS
9 SECTION FOR THE PILOT PROGRAM, INCLUDING REVISIONS THAT:

10 (I) REMOVE ALL PROGRAM CATEGORIES, PROJECT
11 GENERATING CAPACITY LIMITS, YEARLY PROGRAMMATIC AND ELECTRIC
12 COMPANY-SPECIFIC CAPACITY LIMITS, AND SUNSET DATES SO THAT THE TOTAL
13 NUMBER AND CAPACITY OF COMMUNITY SOLAR ENERGY GENERATING SYSTEMS IS
14 SUBJECT ONLY TO THE OVERALL LIMITATION FOR ALL NET METERING PROJECTS
15 ESTABLISHED UNDER § 7-306(D) OF THIS SUBTITLE;

16 (II) AUTHORIZE ALL COMMUNITY SOLAR ENERGY GENERATING
17 SYSTEMS, INCLUDING THOSE CONSTRUCTED DURING THE PILOT PROGRAM, TO
18 OPERATE AND GENERATE SUBSCRIPTION CREDITS UNTIL THE COMMUNITY SOLAR
19 ENERGY GENERATING SYSTEM IS DECOMMISSIONED;

20 (III) ADJUST CO-LOCATION RESTRICTIONS TO COMPLY WITH
21 SUBSECTION (D)(13) OF THIS SECTION;

22 (IV) ALLOW A CUSTOMER TO VERIFY, WHEN SUBSCRIBING TO A
23 COMMUNITY SOLAR ENERGY GENERATING SYSTEM, INCOME FOR ELIGIBILITY AS AN
24 LMI SUBSCRIBER UNDER THE PROGRAM BY USING ONE OF THE FOLLOWING
25 METHODS:

26 1. SELF-ATTESTATION THAT DOES NOT NEED TO BE
27 UNDER OATH OR PENALTY OF PERJURY;

28 2. PROVIDING EVIDENCE OF ELIGIBILITY FOR OR
29 ENROLLMENT IN AT LEAST ONE OF THE FOLLOWING GOVERNMENT ASSISTANCE
30 PROGRAMS:

31 A. THE MARYLAND ENERGY ASSISTANCE PROGRAM;

32 B. THE SUPPLEMENTAL NUTRITION ASSISTANCE
33 PROGRAM;

1 C. MEDICAID;

2 D. HEAD START;

3 E. FREE AND REDUCED PRICE SCHOOL MEALS;

4 F. THE FEDERAL LOW INCOME HOME ENERGY
5 ASSISTANCE PROGRAM;

6 G. EMPOWER MARYLAND LOW- OR
7 MODERATE-INCOME INCENTIVES;

8 H. TELEPHONE LIFELINE SERVICE;

9 I. THE FUEL FUND OF MARYLAND; OR

10 J. ANY ADDITIONAL FEDERAL, STATE, OR LOCAL
11 ASSISTANCE PROGRAM THAT THE COMMISSION DETERMINES WILL FURTHER THE
12 PURPOSES OF THE PROGRAM;

13 3. PAY STUBS;

14 4. INCOME TAX DOCUMENTS;

15 5. PROOF OF RESIDENCE IN AN AFFORDABLE HOUSING
16 FACILITY;

17 6. PROOF OF RESIDENCE WITHIN A CENSUS TRACT THAT
18 IS:

19 A. AN OVERBURDENED COMMUNITY; AND

20 B. AN UNDERSERVED COMMUNITY;

21 7. ANY VERIFICATION METHOD THAT WAS AVAILABLE
22 UNDER THE PILOT PROGRAM; OR

23 8. ANY ADDITIONAL METHODS APPROVED BY THE
24 COMMISSION TO VERIFY INCOME;

25 (V) REQUIRE ALL ELECTRIC COMPANIES TO USE MONETARY
26 CREDITS THAT PROVIDE NOT LESS THAN THE VALUE TO THE SUBSCRIBER OF THE

CREDIT HAD IT BEEN APPLIED TO THE SUBSCRIBER'S BILL AS A REDUCTION IN
METERED KILOWATT-HOURS; AND

(VI) ESTABLISH PROCEDURES FOR THE COMMISSION TO:

1. COLLECT DATA FROM SUBSCRIBER ORGANIZATIONS,
WHEN APPLYING TO THE COMMISSION FOR ADMISSION TO THE PROGRAM, ON:

A. THE TYPE AND QUANTITY OF FOREST COVER ON THE
SITE OF A PROPOSED COMMUNITY SOLAR ENERGY GENERATING SYSTEM; AND

B. ANY ANTICIPATED IMPACTS THAT THE
CONSTRUCTION OF THE PROPOSED COMMUNITY SOLAR ENERGY GENERATING
SYSTEM WILL HAVE ON TREES AND FOREST COVER AT THE SITE OF THE PROPOSED
COMMUNITY SOLAR ENERGY GENERATING SYSTEM; AND

2. MAKE THE DATA COLLECTED UNDER ITEM 1 OF THIS
ITEM AVAILABLE TO THE PUBLIC IN A FORMAT AGGREGATED BY COUNTY.

(2) ON OR BEFORE OCTOBER 1, 2024, THE COMMISSION SHALL
APPROVE ELECTRIC COMPANY TARIFF MODIFICATIONS THAT ARE CONSISTENT
WITH THE REGULATIONS ADOPTED UNDER THIS SUBSECTION.

(G) (1) SUBJECT TO SUBSECTION (H) OF THIS SECTION, ON OR BEFORE
APRIL 1, 2025, THE COMMISSION SHALL ADOPT REGULATIONS THAT:

(I) IMPLEMENT CONSOLIDATED BILLING BY ELECTRIC
COMPANIES, INCLUDING PURCHASE OF RECEIVABLES PROTOCOLS;

(II) REQUIRE ALL ELECTRIC COMPANIES TO REPORT BILLING
AND CREDITING ERRORS TO THE COMMISSION ON A REGULAR SCHEDULE;

(III) IMPOSE SPECIFIC TIMING REQUIREMENTS FOR
APPLICATION OF BILL CREDITS TO SUBSCRIBER BILLS AND APPLICATION OF
ROLLOVER CREDITS;

(IV) IMPLEMENT DATA EXCHANGE PROTOCOLS FOR ELECTRIC
COMPANIES, SUBSCRIBER ORGANIZATIONS, AND SUBSCRIPTION COORDINATORS,
INCLUDING REQUIRED DATA FIELDS FOR ELECTRIC COMPANY ALLOCATION
REPORTS;

1 (V) FOR SUBSCRIBERS ENROLLED IN BUDGET BILLING,
2 REQUIRE ELECTRIC COMPANIES TO APPLY COMMUNITY SOLAR CREDITS TO THE
3 MONTHLY AMOUNT DUE RATHER THAN THE UNDERLYING BALANCE;

4 (VI) REQUIRE ALL ELECTRIC COMPANIES TO SHOW APPLIED AND
5 BANKED CREDITS ON EACH BILL RENDERED TO A SUBSCRIBER; AND

6 (VII) IMPLEMENT ANY ADDITIONAL CHANGES THE COMMISSION
7 DETERMINES WILL IMPROVE BILLING AND CREDITING PROCESSES FOR
8 SUBSCRIBERS, SUBSCRIBER ORGANIZATIONS, AND SUBSCRIPTION COORDINATORS.

9 (2) ON OR BEFORE APRIL 1, 2025, THE COMMISSION SHALL APPROVE
10 ELECTRIC COMPANY TARIFF MODIFICATIONS THAT ARE CONSISTENT WITH THE
11 REGULATIONS ADOPTED UNDER THIS SUBSECTION.

12 (H) THE COMMISSION SHALL CONVENE A STAKEHOLDER WORKGROUP TO
13 PROVIDE RECOMMENDATIONS REGARDING THE REGULATIONS TO BE ADOPTED BY
14 THE COMMISSION UNDER SUBSECTIONS (F) AND (G) OF THIS SECTION.

15 (I) THE COMMISSION SHALL CONSIDER AND IMPLEMENT METHODOLOGIES
16 TO ALLOW THE TENANTS OF MASTER-METERED RESIDENTIAL FACILITIES TO
17 PARTICIPATE IN THE PROGRAM AND BENEFIT DIRECTLY FROM ANY ASSOCIATED
18 ELECTRIC BILL SAVINGS.

19 [(f)] (J) (1) Subject to regulations or orders of the Commission, a contract
20 relating to a community solar energy generating system [or], subscriber organization, OR
21 SUBSCRIPTION COORDINATOR that is entered into during the pilot program OR THE
22 PROGRAM shall remain in effect according to the terms of the contract, including after the
23 termination of the pilot program OR THE PROGRAM.

24 (2) [(i)] This paragraph applies to electric companies, electric
25 cooperatives, and municipal utilities that participate in the Program.

26 (ii) A subscriber who has a change in the service address associated
27 with the subscriber's subscription may maintain the subscription for the new address if the
28 new address is within the same electric territory as the old address.

29 (iii) An electric company or a subscriber organization may not
30 terminate a subscriber's subscription due to a change of address for the service address
31 associated with the subscription if the requirements under subparagraph (ii) of this
32 paragraph are met.

33 (iv) An electric company shall make any changes necessary to
34 accommodate a subscriber's change of address on notification by a subscriber organization.

(g) After termination of the pilot program,] **ON AND AFTER OCTOBER 1, 2023,**
in accordance with the operational and billing requirements in subsection (d) of this section:

[(1)] (I) a subscriber organization may continue the operation of a
community solar energy generating system that began operation during the pilot program,
including the creation and trading of subscriptions; and

[(2)] (II) in accordance with the tariffs established under [subsection]
SUBSECTIONS (e)(2), (F)(2), AND (G)(2) of this section, an electric company shall continue
to facilitate the operation of a community solar energy generating system that began
operation during the pilot program.

[(h)] (K) The cumulative installed nameplate capacity under the pilot program
AND THE PROGRAM shall count toward the overall limitation for all net metering projects
established under § 7–306(d) of this subtitle.

**(L) (1) A SUBSCRIBER ORGANIZATION OR SUBSCRIPTION COORDINATOR
MAY NOT REQUIRE AN LMI SUBSCRIBER TO UNDERGO A CREDIT CHECK OR PAY A
SIGN-UP FEE TO SUBSCRIBE TO A COMMUNITY SOLAR ENERGY GENERATING
SYSTEM.**

**(2) A SUBSCRIBER WHO A SUBSCRIBER ORGANIZATION DETERMINED
WAS ELIGIBLE TO PARTICIPATE AS A LOW-INCOME OR MODERATE-INCOME
SUBSCRIBER UNDER THE PILOT PROGRAM SHALL REMAIN ELIGIBLE AS AN LMI
SUBSCRIBER UNDER THE PROGRAM.**

**(3) (I) A COMMUNITY SOLAR ENERGY GENERATING SYSTEM
CONSTRUCTED UNDER THE PILOT PROGRAM IN A CATEGORY REQUIRING THAT AT
LEAST 30% OF ITS KILOWATT-HOUR OUTPUT SERVE LOW-INCOME OR
MODERATE-INCOME SUBSCRIBERS SHALL CONTINUE TO SERVE AT LEAST 30% OF
ITS KILOWATT-HOUR OUTPUT TO LOW-INCOME OR MODERATE-INCOME
SUBSCRIBERS.**

**(II) A COMMUNITY SOLAR ENERGY GENERATING SYSTEM
CONSTRUCTED UNDER THE PILOT PROGRAM IN A CATEGORY REQUIRING THAT AT
LEAST 51% OF ITS KILOWATT-HOUR OUTPUT SERVE LOW-INCOME OR
MODERATE-INCOME SUBSCRIBERS SHALL CONTINUE TO SERVE AT LEAST 51% OF
ITS KILOWATT-HOUR OUTPUT TO LOW-INCOME OR MODERATE-INCOME
SUBSCRIBERS.**

SECTION 2. AND BE IT FURTHER ENACTED, That a Position Identification
Number shall be created in the Public Service Commission for a full-time position that will
focus only on implementing and administering the Community Solar Energy Generating
Systems Program under § 7–306.2 of the Public Utilities Article, as enacted under Section
1 of this Act.

1 SECTION 3. AND BE IT FURTHER ENACTED, That, notwithstanding any other
2 law, all regulations adopted under § 7–306.2(e) of the Public Utilities Article for the
3 operation of the Community Solar Energy Generating Systems Pilot Program before the
4 effective date of this Act shall continue in effect until amended or repealed.

5 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2023.