

TITLE 4: ECONOMIC RESOURCES
DIVISION 8: UTILITIES

§ 8534. Standard Contract or Tariff; Rate Structure.

(a) The electric utility shall develop a standard contract or tariff providing for net energy metering and shall make this contract or tariff available to eligible customer-generators, upon request, on a first-come-first-served basis until the time that the total available capacity produced by eligible customer-generators equals 30 percent of the electric utility's system peak demand; provided that, on good cause shown, the regulator may increase, by rule or order, this percentage amount up to 120 percent of the electric utility's system peak demand.

(b) Each net energy metering contract or tariff shall be identical, with respect to rate structure and other charges and fees, to the contract or tariff to which the same customer would be assigned if the customer were not an eligible customer-generator. The charges for all retail rate components for eligible customer-generators shall be based exclusively on the eligible customer-generator's net kilowatt-hour consumption over a monthly billing period. Any new or additional demand charge, standby charge, customer charge, minimum monthly charge, interconnection charge, or other charge that would increase an eligible customer-generator's costs beyond those of other customers in the rate class to which the eligible customer-generator would otherwise be assigned are contrary to the intent of this section, shall not be charged and shall not form a part of a net energy metering contract or tariff.

(c) Subject to the constraints of this section, the regulator may amend the rate structure, standard contract or tariff by rule or order.

Source: PL 15-23, § 2(8634); amended by PL 15-87 § 2(8633), modified.

Commission Comment: The Commission changed capitalization in this section pursuant to 1 CMC § 3806(f).