
HOUSE CONCURRENT RESOLUTION

REQUESTING THE PUBLIC UTILITIES COMMISSION TO EVALUATE THE
FEASIBILITY OF INCORPORATING COMMUNITY SOLAR GARDENS IN
HAWAII'S NET ENERGY METERING LAW.

1 WHEREAS, net energy metering lessens Hawaii's dependence on
2 imported oil by encouraging the use of eligible renewable energy
3 sources such as solar (photovoltaic), wind, biomass, or
4 hydroelectric power for electrical generation by residential,
5 commercial, and government customers; and
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7 WHEREAS, under the net energy metering law set forth in
8 Chapter 269, Part VI, Hawaii Revised Statutes, electric utility
9 customers who own and operate an eligible renewable energy
10 generation system may connect to the utility's grid after
11 registering their systems with the utility and executing a net
12 energy metering agreement; and
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14 WHEREAS, when a net energy metering customer generates more
15 electricity than what is consumed, the excess electricity can be
16 exported back to the utility via the electric grid at full
17 retail value, which can be used to offset electricity purchases
18 over a twelve-month period; and
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20 WHEREAS, net energy metering participants are essentially
21 being given the retail credit for excess power that they
22 generate; and
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24 WHEREAS, one drawback to net energy metering is that it can
25 preclude participation by those who lack necessary resources,
26 such as money to purchase eligible renewable energy generators
27 or control over real property upon which the generators would be
28 installed; and
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1 WHEREAS, in 2010, Colorado passed House Bill 10-1342,
2 allowing the establishment of community solar gardens; and

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4 WHEREAS, under the Colorado law, community solar gardens
5 are distributed solar electric generating facilities located in
6 or near a community served by a qualifying retail utility where
7 the beneficial use of the electricity generated by the community
8 solar garden belongs to its subscribers, who are customers of
9 the utility; and

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11 WHEREAS, the owner of a community solar garden may be the
12 utility or any for-profit or nonprofit entity or organization,
13 including a subscriber organization, that contracts to sell the
14 electricity generated by the community solar garden to the
15 utility; and

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17 WHEREAS, this concept of selling community solar garden
18 electricity to utilities is similar to the sale of electricity
19 to utilities under net energy metering; and

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21 WHEREAS, community solar gardens subscribers may include
22 renters, low-income earners, and other utility customers who,
23 because of finances or a lack of property ownership, would
24 otherwise be unable to participate in solar electricity
25 generation; and

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27 WHEREAS, Colorado has incorporated community solar gardens
28 under section 40-2-127, Colorado Revised Statutes, into its net
29 energy metering law, allowing solar electricity generation
30 participants via community solar gardens to participate in net
31 energy metering; and

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33 WHEREAS, a similar arrangement in Hawaii would broaden
34 participation in net energy metering and renewable energy
35 generation in Hawaii; now, therefore,

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37 BE IT RESOLVED by the House of Representatives of the
38 Twenty-sixth Legislature of the State of Hawaii, Regular Session
39 of 2011, the Senate concurring, that the Public Utilities
40 Commission is requested to evaluate the feasibility of



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1 incorporating community solar gardens in Hawaii's net energy
2 metering law; and

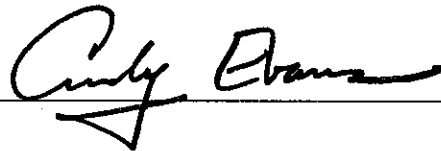
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4 BE IT FURTHER RESOLVED that the Public Utilities Commission
5 is requested to use Colorado's community solar garden law under
6 section 40-2-124, Colorado Revised Statutes, as a model for
7 potential implementation in Hawaii; and

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9 BE IF FURTHER RESOLVED that the Public Utilities Commission
10 is requested to submit its findings, recommendations, and any
11 proposed legislation to the Legislature not later than twenty
12 days prior to the convening of the 2012 Regular Session; and

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14 BE IT FURTHER RESOLVED that certified copies of this
15 Concurrent Resolution be transmitted to the Chairperson of the
16 Public Utilities Commission, the Director of Commerce and
17 Consumer Affairs, and the Director of Business, Economic
18 Development, and Tourism.

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OFFERED BY:



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