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## HOUSE 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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30           WHEREAS, in 2010, Colorado passed House Bill 10-1342,  
31 allowing the establishment of community solar gardens; and



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

8  
9           WHEREAS, the owner of a community solar garden may be the  
10 utility or any for-profit or nonprofit entity or organization,  
11 including a subscriber organization, that contracts to sell the  
12 electricity generated by the community solar garden to the  
13 utility; and

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

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

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

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

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35           BE IT RESOLVED by the House of Representatives of the  
36 Twenty-sixth Legislature of the State of Hawaii, Regular Session  
37 of 2011, that the Public Utilities Commission is requested to  
38 evaluate the feasibility of incorporating community solar  
39 gardens in Hawaii's net energy metering law; and

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1 BE IT FURTHER RESOLVED that the Public Utilities Commission  
2 is requested to use Colorado's community solar garden law under  
3 section 40-2-124, Colorado Revised Statutes, as a model for  
4 potential implementation in Hawaii; and  
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6 BE IF FURTHER RESOLVED that the Public Utilities Commission  
7 is requested to submit its findings, recommendations, and any  
8 proposed legislation to the Legislature not later than twenty  
9 days prior to the convening of the 2012 Regular Session; and  
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11 BE IT FURTHER RESOLVED that certified copies of this  
12 Resolution be transmitted to the Chairperson of the Public  
13 Utilities Commission, the Director of Commerce and Consumer  
14 Affairs, and the Director of Business, Economic Development, and  
15 Tourism.  
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OFFERED BY:

  
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FEB 09 2011

