

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Public Utilities Act is amended by changing  
5 Section 16-107.5 and by adding Section 17-1000 as follows:

6 (220 ILCS 5/16-107.5)

7 (Text of Section before amendment by P.A. 104-458)

8 Sec. 16-107.5. Net electricity metering.

9 (a) The General Assembly finds and declares that a program  
10 to provide net electricity metering, as defined in this  
11 Section, for eligible customers can encourage private  
12 investment in renewable energy resources, stimulate economic  
13 growth, enhance the continued diversification of Illinois'  
14 energy resource mix, and protect the Illinois environment.  
15 Further, to achieve the goals of this Act that robust options  
16 for customer-site distributed generation continue to thrive in  
17 Illinois, the General Assembly finds that a predictable  
18 transition must be ensured for customers between full net  
19 metering at the retail electricity rate to the distribution  
20 generation rebate described in Section 16-107.6.

21 (b) As used in this Section, (i) "community renewable  
22 generation project" shall have the meaning set forth in  
23 Section 1-10 of the Illinois Power Agency Act; (ii) "eligible

1 customer" means a retail customer that owns, hosts, or  
2 operates, including any third-party owned systems, a solar,  
3 wind, or other eligible renewable electrical generating  
4 facility that is located on the customer's premises or  
5 customer's side of the billing meter and is intended primarily  
6 to offset the customer's own current or future electrical  
7 requirements; (iii) "electricity provider" means an electric  
8 utility or alternative retail electric supplier; (iv)  
9 "eligible renewable electrical generating facility" means a  
10 generator, which may include the co-location of an energy  
11 storage system, that is interconnected under rules adopted by  
12 the Commission and is powered by solar electric energy, wind,  
13 dedicated crops grown for electricity generation, agricultural  
14 residues, untreated and unadulterated wood waste, livestock  
15 manure, anaerobic digestion of livestock or food processing  
16 waste, fuel cells or microturbines powered by renewable fuels,  
17 or hydroelectric energy; (v) "net electricity metering" (or  
18 "net metering") means the measurement, during the billing  
19 period applicable to an eligible customer, of the net amount  
20 of electricity supplied by an electricity provider to the  
21 customer or provided to the electricity provider by the  
22 customer or subscriber; (vi) "subscriber" shall have the  
23 meaning as set forth in Section 1-10 of the Illinois Power  
24 Agency Act; (vii) "subscription" shall have the meaning set  
25 forth in Section 1-10 of the Illinois Power Agency Act; (viii)  
26 "energy storage system" means commercially available

1 technology that is capable of absorbing energy and storing it  
2 for a period of time for use at a later time, including, but  
3 not limited to, electrochemical, thermal, and  
4 electromechanical technologies, and may be interconnected  
5 behind the customer's meter or interconnected behind its own  
6 meter; and (ix) "future electrical requirements" means modeled  
7 electrical requirements upon occupation of a new or vacant  
8 property, and other reasonable expectations of future  
9 electrical use, as well as, for occupied properties, a  
10 reasonable approximation of the annual load of 2 electric  
11 vehicles and, for non-electric heating customers, a reasonable  
12 approximation of the incremental electric load associated with  
13 fuel switching. The approximations shall be applied to the  
14 appropriate net metering tariff and do not need to be unique to  
15 each individual eligible customer. The utility shall submit  
16 these approximations to the Commission for review,  
17 modification, and approval.

18 (c) A net metering facility shall be equipped with  
19 metering equipment that can measure the flow of electricity in  
20 both directions at the same rate.

21 (1) For eligible customers whose electric service has  
22 not been declared competitive pursuant to Section 16-113  
23 of this Act as of July 1, 2011 and whose electric delivery  
24 service is provided and measured on a kilowatt-hour basis  
25 and electric supply service is not provided based on  
26 hourly pricing, this shall typically be accomplished

1 through use of a single, bi-directional meter. If the  
2 eligible customer's existing electric revenue meter does  
3 not meet this requirement, the electricity provider shall  
4 arrange for the local electric utility or a meter service  
5 provider to install and maintain a new revenue meter at  
6 the electricity provider's expense, which may be the smart  
7 meter described by subsection (b) of Section 16-108.5 of  
8 this Act.

9 (2) For eligible customers whose electric service has  
10 not been declared competitive pursuant to Section 16-113  
11 of this Act as of July 1, 2011 and whose electric delivery  
12 service is provided and measured on a kilowatt demand  
13 basis and electric supply service is not provided based on  
14 hourly pricing, this shall typically be accomplished  
15 through use of a dual channel meter capable of measuring  
16 the flow of electricity both into and out of the  
17 customer's facility at the same rate and ratio. If such  
18 customer's existing electric revenue meter does not meet  
19 this requirement, then the electricity provider shall  
20 arrange for the local electric utility or a meter service  
21 provider to install and maintain a new revenue meter at  
22 the electricity provider's expense, which may be the smart  
23 meter described by subsection (b) of Section 16-108.5 of  
24 this Act.

25 (3) For all other eligible customers, until such time  
26 as the local electric utility installs a smart meter, as

1 described by subsection (b) of Section 16-108.5 of this  
2 Act, the electricity provider may arrange for the local  
3 electric utility or a meter service provider to install  
4 and maintain metering equipment capable of measuring the  
5 flow of electricity both into and out of the customer's  
6 facility at the same rate and ratio, typically through the  
7 use of a dual channel meter. If the eligible customer's  
8 existing electric revenue meter does not meet this  
9 requirement, then the costs of installing such equipment  
10 shall be paid for by the customer.

11 (d) An electricity provider shall measure and charge or  
12 credit for the net electricity supplied to eligible customers  
13 or provided by eligible customers whose electric service has  
14 not been declared competitive pursuant to Section 16-113 of  
15 this Act as of July 1, 2011 and whose electric delivery service  
16 is provided and measured on a kilowatt-hour basis and electric  
17 supply service is not provided based on hourly pricing in the  
18 following manner:

19 (1) If the amount of electricity used by the customer  
20 during the billing period exceeds the amount of  
21 electricity produced by the customer, the electricity  
22 provider shall charge the customer for the net electricity  
23 supplied to and used by the customer as provided in  
24 subsection (e-5) of this Section.

25 (2) If the amount of electricity produced by a  
26 customer during the billing period exceeds the amount of

1 electricity used by the customer during that billing  
2 period, the electricity provider supplying that customer  
3 shall apply a 1:1 kilowatt-hour credit to a subsequent  
4 bill for service to the customer for the net electricity  
5 supplied to the electricity provider. The electricity  
6 provider shall continue to carry over any excess  
7 kilowatt-hour credits earned and apply those credits to  
8 subsequent billing periods to offset any  
9 customer-generator consumption in those billing periods  
10 until all credits are used or until the end of the  
11 annualized period.

12 (3) At the end of the year or annualized over the  
13 period that service is supplied by means of net metering,  
14 or in the event that the retail customer terminates  
15 service with the electricity provider prior to the end of  
16 the year or the annualized period, any remaining credits  
17 in the customer's account shall expire.

18 (d-5) An electricity provider shall measure and charge or  
19 credit for the net electricity supplied to eligible customers  
20 or provided by eligible customers whose electric service has  
21 not been declared competitive pursuant to Section 16-113 of  
22 this Act as of July 1, 2011 and whose electric delivery service  
23 is provided and measured on a kilowatt-hour basis and electric  
24 supply service is provided based on hourly pricing or  
25 time-of-use rates in the following manner:

26 (1) If the amount of electricity used by the customer

1 during any hourly period or time-of-use period exceeds the  
2 amount of electricity produced by the customer, the  
3 electricity provider shall charge the customer for the net  
4 electricity supplied to and used by the customer according  
5 to the terms of the contract or tariff to which the same  
6 customer would be assigned to or be eligible for if the  
7 customer was not a net metering customer.

8 (2) If the amount of electricity produced by a  
9 customer during any hourly period or time-of-use period  
10 exceeds the amount of electricity used by the customer  
11 during that hourly period or time-of-use period, the  
12 energy provider shall apply a credit for the net  
13 kilowatt-hours produced in such period. The credit shall  
14 consist of an energy credit and a delivery service credit.  
15 The energy credit shall be valued at the same price per  
16 kilowatt-hour as the electric service provider would  
17 charge for kilowatt-hour energy sales during that same  
18 hourly period or time-of-use period. The delivery credit  
19 shall be equal to the net kilowatt-hours produced in such  
20 hourly period or time-of-use period times a credit that  
21 reflects all kilowatt-hour based charges in the customer's  
22 electric service rate, excluding energy charges.

23 (e) An electricity provider shall measure and charge or  
24 credit for the net electricity supplied to eligible customers  
25 whose electric service has not been declared competitive  
26 pursuant to Section 16-113 of this Act as of July 1, 2011 and

1 whose electric delivery service is provided and measured on a  
2 kilowatt demand basis and electric supply service is not  
3 provided based on hourly pricing in the following manner:

4 (1) If the amount of electricity used by the customer  
5 during the billing period exceeds the amount of  
6 electricity produced by the customer, then the electricity  
7 provider shall charge the customer for the net electricity  
8 supplied to and used by the customer as provided in  
9 subsection (e-5) of this Section. The customer shall  
10 remain responsible for all taxes, fees, and utility  
11 delivery charges that would otherwise be applicable to the  
12 net amount of electricity used by the customer.

13 (2) If the amount of electricity produced by a  
14 customer during the billing period exceeds the amount of  
15 electricity used by the customer during that billing  
16 period, then the electricity provider supplying that  
17 customer shall apply a 1:1 kilowatt-hour credit that  
18 reflects the kilowatt-hour based charges in the customer's  
19 electric service rate to a subsequent bill for service to  
20 the customer for the net electricity supplied to the  
21 electricity provider. The electricity provider shall  
22 continue to carry over any excess kilowatt-hour credits  
23 earned and apply those credits to subsequent billing  
24 periods to offset any customer-generator consumption in  
25 those billing periods until all credits are used or until  
26 the end of the annualized period.

1           (3) At the end of the year or annualized over the  
2           period that service is supplied by means of net metering,  
3           or in the event that the retail customer terminates  
4           service with the electricity provider prior to the end of  
5           the year or the annualized period, any remaining credits  
6           in the customer's account shall expire.

7           (e-5) An electricity provider shall provide electric  
8           service to eligible customers who utilize net metering at  
9           non-discriminatory rates that are identical, with respect to  
10          rate structure, retail rate components, and any monthly  
11          charges, to the rates that the customer would be charged if not  
12          a net metering customer. An electricity provider shall not  
13          charge net metering customers any fee or charge or require  
14          additional equipment, insurance, or any other requirements not  
15          specifically authorized by interconnection standards  
16          authorized by the Commission, unless the fee, charge, or other  
17          requirement would apply to other similarly situated customers  
18          who are not net metering customers. The customer will remain  
19          responsible for all taxes, fees, and utility delivery charges  
20          that would otherwise be applicable to the net amount of  
21          electricity used by the customer. Subsections (c) through (e)  
22          of this Section shall not be construed to prevent an  
23          arms-length agreement between an electricity provider and an  
24          eligible customer that sets forth different prices, terms, and  
25          conditions for the provision of net metering service,  
26          including, but not limited to, the provision of the

1 appropriate metering equipment for non-residential customers.

2 (f) Notwithstanding the requirements of subsections (c)  
3 through (e-5) of this Section, an electricity provider must  
4 require dual-channel metering for customers operating eligible  
5 renewable electrical generating facilities to whom the  
6 provisions of neither subsection (d), (d-5), nor (e) of this  
7 Section apply. In such cases, electricity charges and credits  
8 shall be determined as follows:

9 (1) The electricity provider shall assess and the  
10 customer remains responsible for all taxes, fees, and  
11 utility delivery charges that would otherwise be  
12 applicable to the gross amount of kilowatt-hours supplied  
13 to the eligible customer by the electricity provider.

14 (2) Each month that service is supplied by means of  
15 dual-channel metering, the electricity provider shall  
16 compensate the eligible customer for any excess  
17 kilowatt-hour credits at the electricity provider's  
18 avoided cost of electricity supply over the monthly period  
19 or as otherwise specified by the terms of a power-purchase  
20 agreement negotiated between the customer and electricity  
21 provider.

22 (3) For all eligible net metering customers taking  
23 service from an electricity provider under contracts or  
24 tariffs employing hourly or time-of-use rates, any monthly  
25 consumption of electricity shall be calculated according  
26 to the terms of the contract or tariff to which the same

1 customer would be assigned to or be eligible for if the  
2 customer was not a net metering customer. When those same  
3 customer-generators are net generators during any discrete  
4 hourly or time-of-use period, the net kilowatt-hours  
5 produced shall be valued at the same price per  
6 kilowatt-hour as the electric service provider would  
7 charge for retail kilowatt-hour sales during that same  
8 time-of-use period.

9 (g) For purposes of federal and State laws providing  
10 renewable energy credits or greenhouse gas credits, the  
11 eligible customer shall be treated as owning and having title  
12 to the renewable energy attributes, renewable energy credits,  
13 and greenhouse gas emission credits related to any electricity  
14 produced by the qualified generating unit. The electricity  
15 provider may not condition participation in a net metering  
16 program on the signing over of a customer's renewable energy  
17 credits; provided, however, this subsection (g) shall not be  
18 construed to prevent an arms-length agreement between an  
19 electricity provider and an eligible customer that sets forth  
20 the ownership or title of the credits.

21 (h) Within 120 days after the effective date of this  
22 amendatory Act of the 95th General Assembly, the Commission  
23 shall establish standards for net metering and, if the  
24 Commission has not already acted on its own initiative,  
25 standards for the interconnection of eligible renewable  
26 generating equipment to the utility system. The

1 interconnection standards shall address any procedural  
2 barriers, delays, and administrative costs associated with the  
3 interconnection of customer-generation while ensuring the  
4 safety and reliability of the units and the electric utility  
5 system. The Commission shall consider the Institute of  
6 Electrical and Electronics Engineers (IEEE) Standard 1547 and  
7 the issues of (i) reasonable and fair fees and costs, (ii)  
8 clear timelines for major milestones in the interconnection  
9 process, (iii) nondiscriminatory terms of agreement, and (iv)  
10 any best practices for interconnection of distributed  
11 generation.

12 (h-5) Within 90 days after the effective date of this  
13 amendatory Act of the 102nd General Assembly, the Commission  
14 shall:

15 (1) establish an Interconnection Working Group. The  
16 working group shall include representatives from electric  
17 utilities, developers of renewable electric generating  
18 facilities, other industries that regularly apply for  
19 interconnection with the electric utilities,  
20 representatives of distributed generation customers, the  
21 Commission Staff, and such other stakeholders with a  
22 substantial interest in the topics addressed by the  
23 Interconnection Working Group. The Interconnection Working  
24 Group shall address at least the following issues:

25 (A) cost and best available technology for  
26 interconnection and metering, including the

1 standardization and publication of standard costs;

2 (B) transparency, accuracy and use of the  
3 distribution interconnection queue and hosting  
4 capacity maps;

5 (C) distribution system upgrade cost avoidance  
6 through use of advanced inverter functions;

7 (D) predictability of the queue management process  
8 and enforcement of timelines;

9 (E) benefits and challenges associated with group  
10 studies and cost sharing;

11 (F) minimum requirements for application to the  
12 interconnection process and throughout the  
13 interconnection process to avoid queue clogging  
14 behavior;

15 (G) process and customer service for  
16 interconnecting customers adopting distributed energy  
17 resources, including energy storage;

18 (H) options for metering distributed energy  
19 resources, including energy storage;

20 (I) interconnection of new technologies, including  
21 smart inverters and energy storage;

22 (J) collect, share, and examine data on Level 1  
23 interconnection costs, including cost and type of  
24 upgrades required for interconnection, and use this  
25 data to inform the final standardized cost of Level 1  
26 interconnection; and

1           (K) such other technical, policy, and tariff  
2           issues related to and affecting interconnection  
3           performance and customer service as determined by the  
4           Interconnection Working Group.

5           The Commission may create subcommittees of the  
6           Interconnection Working Group to focus on specific issues  
7           of importance, as appropriate. The Interconnection Working  
8           Group shall report to the Commission on recommended  
9           improvements to interconnection rules and tariffs and  
10          policies as determined by the Interconnection Working  
11          Group at least every 6 months. Such reports shall include  
12          consensus recommendations of the Interconnection Working  
13          Group and, if applicable, additional recommendations for  
14          which consensus was not reached. The Commission shall use  
15          the report from the Interconnection Working Group to  
16          determine whether processes should be commenced to  
17          formally codify or implement the recommendations;

18          (2) create or contract for an Ombudsman to resolve  
19          interconnection disputes through non-binding arbitration.  
20          The Ombudsman may be paid in full or in part through fees  
21          levied on the initiators of the dispute; and

22          (3) determine a single standardized cost for Level 1  
23          interconnections, which shall not exceed \$200.

24          (h-7) After an electric distribution company determines  
25          that an interconnection request from an applicant for a public  
26          school project has been completed, the electric distribution

1 company must immediately begin all evaluations, reviews, and  
2 screenings of the interconnection request. Projects pending in  
3 the interconnection queue on the same feeder and substation as  
4 an interconnection request for a public school project shall  
5 be paused until the public school project has received a fully  
6 executed interconnection agreement, regardless of queue  
7 position assignments under 83 Ill. Adm. Code 466, to ensure  
8 that available feeder and substation capacity is reserved for  
9 the public school project. If the electric distribution  
10 company determines that there is no requirement for the  
11 construction of facilities by the electric distribution  
12 company on its own system, the electric distribution company  
13 shall provide the applicant with an interconnection agreement,  
14 as provided under 83 Ill. Adm. Code 466. If the electric  
15 distribution company determines that the public school project  
16 has a nameplate capacity that is less than 500 kilowatts (kW)  
17 with no colocated distribution resources and determines that  
18 no system modifications are required, the electric  
19 distribution company must complete all required  
20 interconnection-related evaluations, reviews, and screenings  
21 within 30 days after making such a determination and issue an  
22 interconnection agreement as soon as possible after the  
23 evaluations, reviews, and screenings are completed. If the  
24 electric distribution company determines that only minor  
25 system modifications are required, the electric distribution  
26 company shall provide the applicant with an interconnection

1 agreement within 60 days after the applicant elects to  
2 continue the application and pays any necessary fees or costs  
3 required under 83 Ill. Adm. Code 466. If the electric  
4 distribution company determines that more than minor  
5 modifications are required, the electric distribution company  
6 shall provide the applicant with an interconnection agreement  
7 within 90 days after the applicant elects to continue the  
8 application and pays any necessary fees or costs required  
9 under 83 Ill. Adm. Code 466.

10 For all net metering credits earned on a monthly basis or  
11 other credits owed to a customer who has elected to install a  
12 distributed renewable generation project on public school  
13 land, all credits intended for the benefit of the consumer  
14 must be credited by the public utility or retail energy  
15 supplier within 90 days after the public utility or retail  
16 energy supplier determines that the criteria for the credit  
17 have been met.

18 As soon as practicable after the effective date of this  
19 amendatory Act of the 104th General Assembly, the Commission  
20 shall adopt revisions to its standards for the interconnection  
21 of eligible renewable generating equipment and net metering  
22 credit rules to conform with the requirements of this  
23 amendatory Act of the 104th General Assembly.

24 As used in this subsection:

25 "Electric distribution company" means any electric utility  
26 subject to the jurisdiction of the Commission serving more

1 than 100,000 customers in this State.

2 "Public schools" has the meaning set forth in Section 1-3  
3 of the School Code and includes public institutions of higher  
4 education, as defined in the Board of Higher Education Act.

5 "Public school project" means a renewable electrical  
6 generating facility that is located on the premises of a  
7 public school on the customer's side of the billing meter, is  
8 intended primarily to offset the customer's current or future  
9 electrical requirements, and is eligible only for renewable  
10 energy credits apportioned to distributed renewable generation  
11 devices installed on public school land under subparagraph  
12 (iv) of paragraph (K) of subsection (c) of Section 1-75 of the  
13 Illinois Power Agency Act.

14 (i) All electricity providers shall begin to offer net  
15 metering no later than April 1, 2008.

16 (j) An electricity provider shall provide net metering to  
17 eligible customers according to subsections (d), (d-5), and  
18 (e). Eligible renewable electrical generating facilities for  
19 which eligible customers registered for net metering before  
20 January 1, 2025 shall continue to receive net metering  
21 services according to subsections (d), (d-5), and (e) of this  
22 Section for the lifetime of the system, regardless of whether  
23 those retail customers change electricity providers or whether  
24 the retail customer benefiting from the system changes. On and  
25 after January 1, 2025, any eligible customer that applies for  
26 net metering and previously would have qualified under

1 subsections (d), (d-5), or (e) shall only be eligible for net  
2 metering as described in subsection (n).

3 (k) Each electricity provider shall maintain records and  
4 report annually to the Commission the total number of net  
5 metering customers served by the provider, as well as the  
6 type, capacity, and energy sources of the generating systems  
7 used by the net metering customers. Nothing in this Section  
8 shall limit the ability of an electricity provider to request  
9 the redaction of information deemed by the Commission to be  
10 confidential business information.

11 (l)(1) Notwithstanding the definition of "eligible  
12 customer" in item (ii) of subsection (b) of this Section, each  
13 electricity provider shall allow net metering as set forth in  
14 this subsection (l) and for the following projects, provided  
15 that only electric utilities serving more than 200,000  
16 customers as of January 1, 2021 shall provide net metering for  
17 projects that are eligible for subparagraph (C) of this  
18 paragraph (1) and have energized after the effective date of  
19 this amendatory Act of the 102nd General Assembly:

20 (A) properties owned or leased by multiple customers  
21 that contribute to the operation of an eligible renewable  
22 electrical generating facility through an ownership or  
23 leasehold interest of at least 200 watts in such facility,  
24 such as a community-owned wind project, a community-owned  
25 biomass project, a community-owned solar project, or a  
26 community methane digester processing livestock waste from

1 multiple sources, provided that the facility is also  
2 located within the utility's service territory;

3 (B) individual units, apartments, or properties  
4 located in a single building that are owned or leased by  
5 multiple customers and collectively served by a common  
6 eligible renewable electrical generating facility, such as  
7 an office or apartment building, a shopping center or  
8 strip mall served by photovoltaic panels on the roof; and

9 (C) subscriptions to community renewable generation  
10 projects, including community renewable generation  
11 projects on the customer's side of the billing meter of a  
12 host facility and partially used for the customer's own  
13 load.

14 In addition, the nameplate capacity of the eligible  
15 renewable electric generating facility that serves the demand  
16 of the properties, units, or apartments identified in  
17 paragraphs (1) and (2) of this subsection (1) shall not exceed  
18 5,000 kilowatts in nameplate capacity in total. Any eligible  
19 renewable electrical generating facility or community  
20 renewable generation project that is powered by photovoltaic  
21 electric energy and installed after the effective date of this  
22 amendatory Act of the 99th General Assembly must be installed  
23 by a qualified person in compliance with the requirements of  
24 Section 16-128A of the Public Utilities Act and any rules or  
25 regulations adopted thereunder.

26 (2) Notwithstanding anything to the contrary, an

1 electricity provider shall provide credits for the electricity  
2 produced by the projects described in paragraph (1) of this  
3 subsection (1). The electricity provider shall provide credits  
4 that include at least energy supply, capacity, transmission,  
5 and, if applicable, the purchased energy adjustment on the  
6 subscriber's monthly bill equal to the subscriber's share of  
7 the production of electricity from the project, as determined  
8 by paragraph (3) of this subsection (1). For customers with  
9 transmission or capacity charges not charged on a  
10 kilowatt-hour basis, the electricity provider shall prepare a  
11 reasonable approximation of the kilowatt-hour equivalent value  
12 and provide that value as a monetary credit. The electricity  
13 provider shall submit these approximation methodologies to the  
14 Commission for review, modification, and approval.  
15 Notwithstanding anything to the contrary, customers on payment  
16 plans or participating in budget billing programs shall have  
17 credits applied on a monthly basis.

18 (3) Notwithstanding anything to the contrary and  
19 regardless of whether a subscriber to an eligible community  
20 renewable generation project receives power and energy service  
21 from the electric utility or an alternative retail electric  
22 supplier, for projects eligible under paragraph (C) of  
23 subparagraph (1) of this subsection (1), electric utilities  
24 serving more than 200,000 customers as of January 1, 2021  
25 shall provide the monetary credits to a subscriber's  
26 subsequent bill for the electricity produced by community

1 renewable generation projects. The electric utility shall  
2 provide monetary credits to a subscriber's subsequent bill at  
3 the utility's total price to compare equal to the subscriber's  
4 share of the production of electricity from the project, as  
5 determined by paragraph (5) of this subsection (1). For the  
6 purposes of this subsection, "total price to compare" means  
7 the rate or rates published by the Illinois Commerce  
8 Commission for energy supply for eligible customers receiving  
9 supply service from the electric utility, and shall include  
10 energy, capacity, transmission, and the purchased energy  
11 adjustment. Notwithstanding anything to the contrary,  
12 customers on payment plans or participating in budget billing  
13 programs shall have credits applied on a monthly basis. Any  
14 applicable credit or reduction in load obligation from the  
15 production of the community renewable generating projects  
16 receiving a credit under this subsection shall be credited to  
17 the electric utility to offset the cost of providing the  
18 credit. To the extent that the credit or load obligation  
19 reduction does not completely offset the cost of providing the  
20 credit to subscribers of community renewable generation  
21 projects as described in this subsection, the electric utility  
22 may recover the remaining costs through its Multi-Year Rate  
23 Plan. All electric utilities serving 200,000 or fewer  
24 customers as of January 1, 2021 shall only provide the  
25 monetary credits to a subscriber's subsequent bill for the  
26 electricity produced by community renewable generation

1 projects if the subscriber receives power and energy service  
2 from the electric utility. Alternative retail electric  
3 suppliers providing power and energy service to a subscriber  
4 located within the service territory of an electric utility  
5 not subject to Sections 16-108.18 and 16-118 shall provide the  
6 monetary credits to the subscriber's subsequent bill for the  
7 electricity produced by community renewable generation  
8 projects.

9 (4) If requested by the owner or operator of a community  
10 renewable generating project, an electric utility serving more  
11 than 200,000 customers as of January 1, 2021 shall enter into a  
12 net crediting agreement with the owner or operator to include  
13 a subscriber's subscription fee on the subscriber's monthly  
14 electric bill and provide the subscriber with a net credit  
15 equivalent to the total bill credit value for that generation  
16 period minus the subscription fee, provided the subscription  
17 fee is structured as a fixed percentage of bill credit value.  
18 The net crediting agreement shall set forth payment terms from  
19 the electric utility to the owner or operator of the community  
20 renewable generating project, and the electric utility may  
21 charge a net crediting fee to the owner or operator of a  
22 community renewable generating project that may not exceed 2%  
23 of the bill credit value. Notwithstanding anything to the  
24 contrary, an electric utility serving 200,000 customers or  
25 fewer as of January 1, 2021 shall not be obligated to enter  
26 into a net crediting agreement with the owner or operator of a

1 community renewable generating project.

2 (5) For the purposes of facilitating net metering, the  
3 owner or operator of the eligible renewable electrical  
4 generating facility or community renewable generation project  
5 shall be responsible for determining the amount of the credit  
6 that each customer or subscriber participating in a project  
7 under this subsection (1) is to receive in the following  
8 manner:

9 (A) The owner or operator shall, on a monthly basis,  
10 provide to the electric utility the kilowatthours of  
11 generation attributable to each of the utility's retail  
12 customers and subscribers participating in projects under  
13 this subsection (1) in accordance with the customer's or  
14 subscriber's share of the eligible renewable electric  
15 generating facility's or community renewable generation  
16 project's output of power and energy for such month. The  
17 owner or operator shall electronically transmit such  
18 calculations and associated documentation to the electric  
19 utility, in a format or method set forth in the applicable  
20 tariff, on a monthly basis so that the electric utility  
21 can reflect the monetary credits on customers' and  
22 subscribers' electric utility bills. The electric utility  
23 shall be permitted to revise its tariffs to implement the  
24 provisions of this amendatory Act of the 102nd General  
25 Assembly. The owner or operator shall separately provide  
26 the electric utility with the documentation detailing the

1 calculations supporting the credit in the manner set forth  
2 in the applicable tariff.

3 (B) For those participating customers and subscribers  
4 who receive their energy supply from an alternative retail  
5 electric supplier, the electric utility shall remit to the  
6 applicable alternative retail electric supplier the  
7 information provided under subparagraph (A) of this  
8 paragraph (3) for such customers and subscribers in a  
9 manner set forth in such alternative retail electric  
10 supplier's net metering program, or as otherwise agreed  
11 between the utility and the alternative retail electric  
12 supplier. The alternative retail electric supplier shall  
13 then submit to the utility the amount of the charges for  
14 power and energy to be applied to such customers and  
15 subscribers, including the amount of the credit associated  
16 with net metering.

17 (C) A participating customer or subscriber may provide  
18 authorization as required by applicable law that directs  
19 the electric utility to submit information to the owner or  
20 operator of the eligible renewable electrical generating  
21 facility or community renewable generation project to  
22 which the customer or subscriber has an ownership or  
23 leasehold interest or a subscription. Such information  
24 shall be limited to the components of the net metering  
25 credit calculated under this subsection (1), including the  
26 bill credit rate, total kilowatthours, and total monetary

1 credit value applied to the customer's or subscriber's  
2 bill for the monthly billing period.

3 (1-5) Within 90 days after the effective date of this  
4 amendatory Act of the 102nd General Assembly, each electric  
5 utility subject to this Section shall file a tariff or tariffs  
6 to implement the provisions of subsection (1) of this Section,  
7 which shall, consistent with the provisions of subsection (1),  
8 describe the terms and conditions under which owners or  
9 operators of qualifying properties, units, or apartments may  
10 participate in net metering. The Commission shall approve, or  
11 approve with modification, the tariff within 120 days after  
12 the effective date of this amendatory Act of the 102nd General  
13 Assembly.

14 (m) Nothing in this Section shall affect the right of an  
15 electricity provider to continue to provide, or the right of a  
16 retail customer to continue to receive service pursuant to a  
17 contract for electric service between the electricity provider  
18 and the retail customer in accordance with the prices, terms,  
19 and conditions provided for in that contract. Either the  
20 electricity provider or the customer may require compliance  
21 with the prices, terms, and conditions of the contract.

22 (n) On and after January 1, 2025, the net metering  
23 services described in subsections (d), (d-5), and (e) of this  
24 Section shall no longer be offered, except as to those  
25 eligible renewable electrical generating facilities for which  
26 retail customers are receiving net metering service under

1 these subsections at the time the net metering services under  
2 those subsections are no longer offered; those systems shall  
3 continue to receive net metering services described in  
4 subsections (d), (d-5), and (e) of this Section for the  
5 lifetime of the system, regardless of if those retail  
6 customers change electricity providers or whether the retail  
7 customer benefiting from the system changes. The electric  
8 utility serving more than 200,000 customers as of January 1,  
9 2021 is responsible for ensuring the billing credits continue  
10 without lapse for the lifetime of systems, as required in  
11 subsection (o). Those retail customers that begin taking net  
12 metering service after the date that net metering services are  
13 no longer offered under such subsections shall be subject to  
14 the provisions set forth in the following paragraphs (1)  
15 through (3) of this subsection (n):

16 (1) An electricity provider shall charge or credit for  
17 the net electricity supplied to eligible customers or  
18 provided by eligible customers whose electric supply  
19 service is not provided based on hourly pricing in the  
20 following manner:

21 (A) If the amount of electricity used by the  
22 customer during the monthly billing period exceeds the  
23 amount of electricity produced by the customer, then  
24 the electricity provider shall charge the customer for  
25 the net kilowatt-hour based electricity charges  
26 reflected in the customer's electric service rate

1           supplied to and used by the customer as provided in  
2           paragraph (3) of this subsection (n).

3           (B) If the amount of electricity produced by a  
4           customer during the monthly billing period exceeds the  
5           amount of electricity used by the customer during that  
6           billing period, then the electricity provider  
7           supplying that customer shall apply a 1:1  
8           kilowatt-hour energy or monetary credit kilowatt-hour  
9           supply charges to the customer's subsequent bill. The  
10          customer shall choose between 1:1 kilowatt-hour or  
11          monetary credit at the time of application. For the  
12          purposes of this subsection, "kilowatt-hour supply  
13          charges" means the kilowatt-hour equivalent values for  
14          energy, capacity, transmission, and the purchased  
15          energy adjustment, if applicable. Notwithstanding  
16          anything to the contrary, customers on payment plans  
17          or participating in budget billing programs shall have  
18          credits applied on a monthly basis. The electricity  
19          provider shall continue to carry over any excess  
20          kilowatt-hour or monetary energy credits earned and  
21          apply those credits to subsequent billing periods. For  
22          customers with transmission or capacity charges not  
23          charged on a kilowatt-hour basis, the electricity  
24          provider shall prepare a reasonable approximation of  
25          the kilowatt-hour equivalent value and provide that  
26          value as a monetary credit. The electricity provider

1 shall submit these approximation methodologies to the  
2 Commission for review, modification, and approval.

3 (C) (Blank).

4 (2) An electricity provider shall charge or credit for  
5 the net electricity supplied to eligible customers or  
6 provided by eligible customers whose electric supply  
7 service is provided based on hourly pricing in the  
8 following manner:

9 (A) If the amount of electricity used by the  
10 customer during any hourly period exceeds the amount  
11 of electricity produced by the customer, then the  
12 electricity provider shall charge the customer for the  
13 net electricity supplied to and used by the customer  
14 as provided in paragraph (3) of this subsection (n).

15 (B) If the amount of electricity produced by a  
16 customer during any hourly period exceeds the amount  
17 of electricity used by the customer during that hourly  
18 period, the energy provider shall calculate an energy  
19 credit for the net kilowatt-hours produced in such  
20 period, and shall apply that credit as a monetary  
21 credit to the customer's subsequent bill. The value of  
22 the energy credit shall be calculated using the same  
23 price per kilowatt-hour as the electric service  
24 provider would charge for kilowatt-hour energy sales  
25 during that same hourly period and shall also include  
26 values for capacity and transmission. For customers

1 with transmission or capacity charges not charged on a  
2 kilowatt-hour basis, the electricity provider shall  
3 prepare a reasonable approximation of the  
4 kilowatt-hour equivalent value and provide that value  
5 as a monetary credit. The electricity provider shall  
6 submit these approximation methodologies to the  
7 Commission for review, modification, and approval.  
8 Notwithstanding anything to the contrary, customers on  
9 payment plans or participating in budget billing  
10 programs shall have credits applied on a monthly  
11 basis.

12 (3) An electricity provider shall provide electric  
13 service to eligible customers who utilize net metering at  
14 non-discriminatory rates that are identical, with respect  
15 to rate structure, retail rate components, and any monthly  
16 charges, to the rates that the customer would be charged  
17 if not a net metering customer. An electricity provider  
18 shall charge the customer for the net electricity supplied  
19 to and used by the customer according to the terms of the  
20 contract or tariff to which the same customer would be  
21 assigned or be eligible for if the customer was not a net  
22 metering customer. An electricity provider shall not  
23 charge net metering customers any fee or charge or require  
24 additional equipment, insurance, or any other requirements  
25 not specifically authorized by interconnection standards  
26 authorized by the Commission, unless the fee, charge, or

1 other requirement would apply to other similarly situated  
2 customers who are not net metering customers. The customer  
3 remains responsible for the gross amount of delivery  
4 services charges, supply-related charges that are kilowatt  
5 based, and all taxes and fees related to such charges. The  
6 customer also remains responsible for all taxes and fees  
7 that would otherwise be applicable to the net amount of  
8 electricity used by the customer. Paragraphs (1) and (2)  
9 of this subsection (n) shall not be construed to prevent  
10 an arms-length agreement between an electricity provider  
11 and an eligible customer that sets forth different prices,  
12 terms, and conditions for the provision of net metering  
13 service, including, but not limited to, the provision of  
14 the appropriate metering equipment for non-residential  
15 customers. Nothing in this paragraph (3) shall be  
16 interpreted to mandate that a utility that is only  
17 required to provide delivery services to a given customer  
18 must also sell electricity to such customer.

19 (o) Within 90 days after the effective date of this  
20 amendatory Act of the 102nd General Assembly, each electric  
21 utility subject to this Section shall file a tariff, which  
22 shall, consistent with the provisions of this Section, propose  
23 the terms and conditions under which a customer may  
24 participate in net metering. The tariff for electric utilities  
25 serving more than 200,000 customers as of January 1, 2021  
26 shall also provide a streamlined and transparent bill

1 crediting system for net metering to be managed by the  
2 electric utilities. The terms and conditions shall include,  
3 but are not limited to, that an electric utility shall manage  
4 and maintain billing of net metering credits and charges  
5 regardless of if the eligible customer takes net metering  
6 under an electric utility or alternative retail electric  
7 supplier. The electric utility serving more than 200,000  
8 customers as of January 1, 2021 shall process and approve all  
9 net metering applications, even if an eligible customer is  
10 served by an alternative retail electric supplier; and the  
11 utility shall forward application approval to the appropriate  
12 alternative retail electric supplier. Eligibility for net  
13 metering shall remain with the owner of the utility billing  
14 address such that, if an eligible renewable electrical  
15 generating facility changes ownership, the net metering  
16 eligibility transfers to the new owner. The electric utility  
17 serving more than 200,000 customers as of January 1, 2021  
18 shall manage net metering billing for eligible customers to  
19 ensure full crediting occurs on electricity bills, including,  
20 but not limited to, ensuring net metering crediting begins  
21 upon commercial operation date, net metering billing transfers  
22 immediately if an eligible customer switches from an electric  
23 utility to alternative retail electric supplier or vice versa,  
24 and net metering billing transfers between ownership of a  
25 valid billing address. All transfers referenced in the  
26 preceding sentence shall include transfer of all banked

1 credits. All electric utilities serving 200,000 or fewer  
2 customers as of January 1, 2021 shall manage net metering  
3 billing for eligible customers receiving power and energy  
4 service from the electric utility to ensure full crediting  
5 occurs on electricity bills, ensuring net metering crediting  
6 begins upon commercial operation date, net metering billing  
7 transfers immediately if an eligible customer switches from an  
8 electric utility to alternative retail electric supplier or  
9 vice versa, and net metering billing transfers between  
10 ownership of a valid billing address. Alternative retail  
11 electric suppliers providing power and energy service to  
12 eligible customers located within the service territory of an  
13 electric utility serving 200,000 or fewer customers as of  
14 January 1, 2021 shall manage net metering billing for eligible  
15 customers to ensure full crediting occurs on electricity  
16 bills, including, but not limited to, ensuring net metering  
17 crediting begins upon commercial operation date, net metering  
18 billing transfers immediately if an eligible customer switches  
19 from an electric utility to alternative retail electric  
20 supplier or vice versa, and net metering billing transfers  
21 between ownership of a valid billing address.

22 (Source: P.A. 102-662, eff. 9-15-21.)

23 (Text of Section after amendment by P.A. 104-458)

24 Sec. 16-107.5. Net electricity metering.

25 (a) The General Assembly finds and declares that a program

1 to provide net electricity metering, as defined in this  
2 Section, for eligible customers can encourage private  
3 investment in renewable energy resources, stimulate economic  
4 growth, enhance the continued diversification of Illinois'  
5 energy resource mix, and protect the Illinois environment.  
6 Further, to achieve the goals of this Act that robust options  
7 for customer-site distributed generation and storage continue  
8 to thrive in Illinois, the General Assembly finds that a  
9 predictable transition must be ensured for customers between  
10 full net metering at the retail electricity rate to the  
11 distribution generation rebate described in Section 16-107.6.

12 (b) As used in this Section:

13 (i) "Community renewable generation project" shall  
14 have the meaning set forth in Section 1-10 of the Illinois  
15 Power Agency Act.

16 (ii) "Eligible customer" means a retail customer that  
17 owns, hosts, or operates, including any third-party owned  
18 systems, a solar, wind, or other eligible renewable  
19 electrical generating facility or an eligible storage  
20 device that is located on the customer's premises or  
21 customer's side of the billing meter and is intended  
22 primarily to offset the customer's own current or future  
23 electrical requirements.

24 (iii) "Electricity provider" means an electric utility  
25 or alternative retail electric supplier.

26 (iv) "Eligible renewable electrical generating

1 facility" means a generator, which may include the  
2 colocation of an energy storage system, that is  
3 interconnected under rules adopted by the Commission and  
4 is powered by solar electric energy, wind, dedicated crops  
5 grown for electricity generation, agricultural residues,  
6 untreated and unadulterated wood waste, livestock manure,  
7 anaerobic digestion of livestock or food processing waste,  
8 fuel cells or microturbines powered by renewable fuels, or  
9 hydroelectric energy.

10 (v) "Net electricity metering" (or "net metering")  
11 means the measurement, during the billing period  
12 applicable to an eligible customer, of the net amount of  
13 electricity supplied by an electricity provider to the  
14 customer or provided to the electricity provider by the  
15 customer or subscriber.

16 (vi) "Subscriber" shall have the meaning as set forth  
17 in Section 1-10 of the Illinois Power Agency Act.

18 (vii) "Subscription" shall have the meaning set forth  
19 in Section 1-10 of the Illinois Power Agency Act.

20 (viii) "Energy storage system" means commercially  
21 available technology that is capable of absorbing energy  
22 and storing it for a period of time for use at a later  
23 time, including, but not limited to, electrochemical,  
24 thermal, and electromechanical technologies, and may be  
25 interconnected behind the customer's meter or  
26 interconnected behind its own meter.

1           (ix) "Future electrical requirements" means modeled  
2           electrical requirements upon occupation of a new or vacant  
3           property, and other reasonable expectations of future  
4           electrical use, as well as, for occupied properties, a  
5           reasonable approximation of the annual load of 2 electric  
6           vehicles and, for non-electric heating customers, a  
7           reasonable approximation of the incremental electric load  
8           associated with fuel switching. The approximations shall  
9           be applied to the appropriate net metering tariff and do  
10          not need to be unique to each individual eligible  
11          customer. The utility shall submit these approximations to  
12          the Commission for review, modification, and approval.

13          (x) "Vehicle storage system" means a vehicle that when  
14          connected to an electric utility's distribution system is  
15          capable of being an energy storage system, as defined in  
16          Section 16-107.6.

17          (c) A net metering facility shall be equipped with  
18          metering equipment that can measure the flow of electricity in  
19          both directions at the same rate.

20          (1) For eligible customers whose electric service has  
21          not been declared competitive pursuant to Section 16-113  
22          of this Act as of July 1, 2011 and whose electric delivery  
23          service is provided and measured on a kilowatt-hour basis  
24          and electric supply service is not provided based on  
25          hourly pricing, this shall typically be accomplished  
26          through use of a single, bi-directional meter. If the

1 eligible customer's existing electric revenue meter does  
2 not meet this requirement, the electricity provider shall  
3 arrange for the local electric utility or a meter service  
4 provider to install and maintain a new revenue meter at  
5 the electricity provider's expense, which may be the smart  
6 meter described by subsection (b) of Section 16-108.5 of  
7 this Act.

8 (2) For eligible customers whose electric service has  
9 not been declared competitive pursuant to Section 16-113  
10 of this Act as of July 1, 2011 and whose electric delivery  
11 service is provided and measured on a kilowatt demand  
12 basis and electric supply service is not provided based on  
13 hourly pricing, this shall typically be accomplished  
14 through use of a dual channel meter capable of measuring  
15 the flow of electricity both into and out of the  
16 customer's facility at the same rate and ratio. If such  
17 customer's existing electric revenue meter does not meet  
18 this requirement, then the electricity provider shall  
19 arrange for the local electric utility or a meter service  
20 provider to install and maintain a new revenue meter at  
21 the electricity provider's expense, which may be the smart  
22 meter described by subsection (b) of Section 16-108.5 of  
23 this Act.

24 (3) For all other eligible customers, until such time  
25 as the local electric utility installs a smart meter, as  
26 described by subsection (b) of Section 16-108.5 of this

1 Act, the electricity provider may arrange for the local  
2 electric utility or a meter service provider to install  
3 and maintain metering equipment capable of measuring the  
4 flow of electricity both into and out of the customer's  
5 facility at the same rate and ratio, typically through the  
6 use of a dual channel meter. If the eligible customer's  
7 existing electric revenue meter does not meet this  
8 requirement, then the costs of installing such equipment  
9 shall be paid for by the customer.

10 (d) An electricity provider shall measure and charge or  
11 credit for the net electricity supplied to eligible customers  
12 or provided by eligible customers whose electric service has  
13 not been declared competitive pursuant to Section 16-113 of  
14 this Act as of July 1, 2011 and whose electric delivery service  
15 is provided and measured on a kilowatt-hour basis and electric  
16 supply service is not provided based on hourly pricing in the  
17 following manner:

18 (1) If the amount of electricity used by the customer  
19 during the billing period exceeds the amount of  
20 electricity produced by the customer, the electricity  
21 provider shall charge the customer for the net electricity  
22 supplied to and used by the customer as provided in  
23 subsection (e-5) of this Section.

24 (2) If the amount of electricity produced by a  
25 customer during the billing period exceeds the amount of  
26 electricity used by the customer during that billing

1 period, the electricity provider supplying that customer  
2 shall apply a 1:1 kilowatt-hour credit to a subsequent  
3 bill for service to the customer for the net electricity  
4 supplied to the electricity provider. The electricity  
5 provider shall continue to carry over any excess  
6 kilowatt-hour credits earned and apply those credits to  
7 subsequent billing periods to offset any  
8 customer-generator consumption in those billing periods  
9 until all credits are used or until the end of the  
10 annualized period.

11 (3) At the end of the year or annualized over the  
12 period that service is supplied by means of net metering,  
13 or in the event that the retail customer terminates  
14 service with the electricity provider prior to the end of  
15 the year or the annualized period, any remaining credits  
16 in the customer's account shall expire.

17 (d-5) An electricity provider shall measure and charge or  
18 credit for the net electricity supplied to eligible customers  
19 or provided by eligible customers whose electric service has  
20 not been declared competitive pursuant to Section 16-113 of  
21 this Act as of July 1, 2011 and whose electric delivery service  
22 is provided and measured on a kilowatt-hour basis and electric  
23 supply service is provided based on hourly pricing or  
24 time-of-use rates in the following manner:

25 (1) If the amount of electricity used by the customer  
26 during any hourly period or time-of-use period exceeds the

1 amount of electricity produced by the customer, the  
2 electricity provider shall charge the customer for the net  
3 electricity supplied to and used by the customer according  
4 to the terms of the contract or tariff to which the same  
5 customer would be assigned to or be eligible for if the  
6 customer was not a net metering customer.

7 (2) If the amount of electricity produced by a  
8 customer during any hourly period or time-of-use period  
9 exceeds the amount of electricity used by the customer  
10 during that hourly period or time-of-use period, the  
11 energy provider shall apply a credit for the net  
12 kilowatt-hours produced in such period. The credit shall  
13 consist of an energy credit and a delivery service credit.  
14 The energy credit shall be valued at the same price per  
15 kilowatt-hour as the electric service provider would  
16 charge for kilowatt-hour energy sales during that same  
17 hourly period or time-of-use period. The delivery credit  
18 shall be equal to the net kilowatt-hours produced in such  
19 hourly period or time-of-use period times a credit that  
20 reflects all kilowatt-hour based charges in the customer's  
21 electric service rate, excluding energy charges.

22 (e) An electricity provider shall measure and charge or  
23 credit for the net electricity supplied to eligible customers  
24 whose electric service has not been declared competitive  
25 pursuant to Section 16-113 of this Act as of July 1, 2011 and  
26 whose electric delivery service is provided and measured on a

1 kilowatt demand basis and electric supply service is not  
2 provided based on hourly pricing in the following manner:

3 (1) If the amount of electricity used by the customer  
4 during the billing period exceeds the amount of  
5 electricity produced by the customer, then the electricity  
6 provider shall charge the customer for the net electricity  
7 supplied to and used by the customer as provided in  
8 subsection (e-5) of this Section. The customer shall  
9 remain responsible for all taxes, fees, and utility  
10 delivery charges that would otherwise be applicable to the  
11 net amount of electricity used by the customer.

12 (2) If the amount of electricity produced by a  
13 customer during the billing period exceeds the amount of  
14 electricity used by the customer during that billing  
15 period, then the electricity provider supplying that  
16 customer shall apply a 1:1 kilowatt-hour credit that  
17 reflects the kilowatt-hour based charges in the customer's  
18 electric service rate to a subsequent bill for service to  
19 the customer for the net electricity supplied to the  
20 electricity provider. The electricity provider shall  
21 continue to carry over any excess kilowatt-hour credits  
22 earned and apply those credits to subsequent billing  
23 periods to offset any customer-generator consumption in  
24 those billing periods until all credits are used or until  
25 the end of the annualized period.

26 (3) At the end of the year or annualized over the

1 period that service is supplied by means of net metering,  
2 or in the event that the retail customer terminates  
3 service with the electricity provider prior to the end of  
4 the year or the annualized period, any remaining credits  
5 in the customer's account shall expire.

6 (e-5) An electricity provider shall provide electric  
7 service to eligible customers who utilize net metering at  
8 non-discriminatory rates that are identical, with respect to  
9 rate structure, retail rate components, and any monthly  
10 charges, to the rates that the customer would be charged if not  
11 a net metering customer. An electricity provider shall not  
12 charge net metering customers any fee or charge or require  
13 additional equipment, insurance, or any other requirements not  
14 specifically authorized by interconnection standards  
15 authorized by the Commission, unless the fee, charge, or other  
16 requirement would apply to other similarly situated customers  
17 who are not net metering customers. The customer will remain  
18 responsible for all taxes, fees, and utility delivery charges  
19 that would otherwise be applicable to the net amount of  
20 electricity used by the customer. Subsections (c) through (e)  
21 of this Section shall not be construed to prevent an  
22 arms-length agreement between an electricity provider and an  
23 eligible customer that sets forth different prices, terms, and  
24 conditions for the provision of net metering service,  
25 including, but not limited to, the provision of the  
26 appropriate metering equipment for non-residential customers.

1           (f) Notwithstanding the requirements of subsections (c)  
2 through (e-5) of this Section, an electricity provider must  
3 require dual-channel metering for customers operating eligible  
4 renewable electrical generating facilities to whom the  
5 provisions of neither subsection (d), (d-5), nor (e) of this  
6 Section apply. In such cases, electricity charges and credits  
7 shall be determined as follows:

8           (1) The electricity provider shall assess and the  
9 customer remains responsible for all taxes, fees, and  
10 utility delivery charges that would otherwise be  
11 applicable to the gross amount of kilowatt-hours supplied  
12 to the eligible customer by the electricity provider.

13           (2) Each month that service is supplied by means of  
14 dual-channel metering, the electricity provider shall  
15 compensate the eligible customer for any excess  
16 kilowatt-hour credits at the electricity provider's  
17 avoided cost of electricity supply over the monthly period  
18 or as otherwise specified by the terms of a power-purchase  
19 agreement negotiated between the customer and electricity  
20 provider.

21           (3) For all eligible net metering customers taking  
22 service from an electricity provider under contracts or  
23 tariffs employing hourly or time-of-use rates, any monthly  
24 consumption of electricity shall be calculated according  
25 to the terms of the contract or tariff to which the same  
26 customer would be assigned to or be eligible for if the

1 customer was not a net metering customer. When those same  
2 customer-generators are net generators during any discrete  
3 hourly or time-of-use period, the net kilowatt-hours  
4 produced shall be valued at the same price per  
5 kilowatt-hour as the electric service provider would  
6 charge for retail kilowatt-hour sales during that same  
7 time-of-use period.

8 (g) For purposes of federal and State laws providing  
9 renewable energy credits or greenhouse gas credits, the  
10 eligible customer shall be treated as owning and having title  
11 to the renewable energy attributes, renewable energy credits,  
12 and greenhouse gas emission credits related to any electricity  
13 produced by the qualified generating unit. The electricity  
14 provider may not condition participation in a net metering  
15 program on the signing over of a customer's renewable energy  
16 credits; provided, however, this subsection (g) shall not be  
17 construed to prevent an arms-length agreement between an  
18 electricity provider and an eligible customer that sets forth  
19 the ownership or title of the credits.

20 (h) Within 120 days after the effective date of this  
21 amendatory Act of the 95th General Assembly, the Commission  
22 shall establish standards for net metering and, if the  
23 Commission has not already acted on its own initiative,  
24 standards for the interconnection of eligible renewable  
25 generating equipment to the utility system. The  
26 interconnection standards shall address any procedural

1 barriers, delays, and administrative costs associated with the  
2 interconnection of customer-generation while ensuring the  
3 safety and reliability of the units and the electric utility  
4 system. The Commission shall consider the Institute of  
5 Electrical and Electronics Engineers (IEEE) Standard 1547 and  
6 the issues of (i) reasonable and fair fees and costs, (ii)  
7 clear timelines for major milestones in the interconnection  
8 process, (iii) nondiscriminatory terms of agreement, and (iv)  
9 any best practices for interconnection of distributed  
10 generation.

11 (h-7) After an electric distribution company determines  
12 that an interconnection request from an applicant for a  
13 distributed renewable generation project on public school land  
14 has been completed, the electric distribution company must  
15 immediately, without assigning the project to the queue, begin  
16 all evaluations, reviews, and screenings of the  
17 interconnection request. The electric distribution company  
18 must complete all interconnection-related evaluations,  
19 reviews, and screenings within 30 days after the electric  
20 distribution company determines that the interconnection  
21 request is complete and, as soon as practicable thereafter,  
22 must disclose to the applicant all necessary  
23 interconnection-related upgrades, costs, and construction  
24 schedules. If the electric distribution company determines  
25 that there is no requirement for the construction of  
26 facilities by the electric distribution company on its own

1 system, the electric distribution company shall provide the  
2 applicant with an interconnection agreement. If the electric  
3 distribution company determines that only minor system  
4 modifications are required, the electric distribution company  
5 shall provide the applicant with an interconnection agreement  
6 within 10 days after the applicant elects to continue the  
7 application and pays any necessary fees. If the electric  
8 distribution company determines that more than minor  
9 modifications are necessary and no interconnection facilities  
10 study is needed, the electric distribution company shall  
11 provide the applicant with an interconnection agreement within  
12 20 days after the applicant elects to continue the application  
13 and pays any necessary fees. If the electric distribution  
14 company determines that more than minor modifications are  
15 necessary and an interconnection facilities study is needed,  
16 the electric distribution company shall provide the applicant  
17 with an interconnection agreement within 30 days after the  
18 applicant elects to continue the application and pays any  
19 necessary fees.

20 For all net metering credits or other credits owed to a  
21 customer who has elected to install a distributed renewable  
22 generation project on public school land, all credits intended  
23 for the benefit of the consumer must be credited by the public  
24 utility or retail energy supplier within 90 days after the  
25 public utility or retail energy supplier determines that the  
26 criteria for the credit have been met.

1       As soon as practicable after the effective date of this  
2 amendatory Act of the 104th General Assembly, the Commission  
3 shall adopt revisions to its standards for the interconnection  
4 of eligible renewable generating equipment and net metering  
5 credit rules to conform with the requirements of this  
6 amendatory Act of the 104th General Assembly.

7       As used in this subsection:

8       "Electric distribution company" means any electric utility  
9 subject to the jurisdiction of the Commission.

10       "Public schools" has the meaning set forth in Section 1-3  
11 of the School Code and includes public institutions of higher  
12 education, as defined in the Board of Higher Education Act.

13       (i) All electricity providers shall begin to offer net  
14 metering no later than April 1, 2008.

15       (j) An electricity provider shall provide net metering to  
16 eligible customers according to subsections (d), (d-5), and  
17 (e). Eligible renewable electrical generating facilities for  
18 which eligible customers registered for net metering before  
19 January 1, 2025 shall continue to receive net metering  
20 services according to subsections (d), (d-5), and (e) of this  
21 Section for the lifetime of the system, regardless of whether  
22 those retail customers change electricity providers or whether  
23 the retail customer benefiting from the system changes. On and  
24 after January 1, 2025, any eligible customer that applies for  
25 net metering and previously would have qualified under  
26 subsections (d), (d-5), or (e) shall only be eligible for net

1 metering as described in subsection (n).

2 (k) Each electricity provider shall maintain records and  
3 report annually to the Commission the total number of net  
4 metering customers served by the provider, as well as the  
5 type, capacity, and energy sources of the generating systems  
6 used by the net metering customers. Nothing in this Section  
7 shall limit the ability of an electricity provider to request  
8 the redaction of information deemed by the Commission to be  
9 confidential business information.

10 (l)(1) Notwithstanding the definition of "eligible  
11 customer" in item (ii) of subsection (b) of this Section, each  
12 electricity provider shall allow net metering as set forth in  
13 this subsection (l) and for the following projects, provided  
14 that only electric utilities serving more than 200,000  
15 customers as of January 1, 2021 shall provide net metering for  
16 projects that are eligible for subparagraph (C) of this  
17 paragraph (1) and have energized after the effective date of  
18 this amendatory Act of the 102nd General Assembly:

19 (A) properties owned or leased by multiple customers  
20 that contribute to the operation of an eligible renewable  
21 electrical generating facility through an ownership or  
22 leasehold interest of at least 200 watts in such facility,  
23 such as a community-owned wind project, a community-owned  
24 biomass project, a community-owned solar project, or a  
25 community methane digester processing livestock waste from  
26 multiple sources, provided that the facility is also

1 located within the utility's service territory;

2 (B) individual units, apartments, or properties  
3 located in a single building that are owned or leased by  
4 multiple customers and collectively served by a common  
5 eligible renewable electrical generating facility, such as  
6 an office or apartment building, a shopping center or  
7 strip mall served by photovoltaic panels on the roof; and

8 (C) subscriptions to community renewable generation  
9 projects, including community renewable generation  
10 projects on the customer's side of the billing meter of a  
11 host facility and partially used for the customer's own  
12 load.

13 In addition, the nameplate capacity of the eligible  
14 renewable electric generating facility that serves the demand  
15 of the properties, units, or apartments identified in  
16 paragraphs (1) and (2) of this subsection (1) shall not exceed  
17 5,000 kilowatts in nameplate capacity in total. Any eligible  
18 renewable electrical generating facility or community  
19 renewable generation project that is powered by photovoltaic  
20 electric energy and installed after the effective date of this  
21 amendatory Act of the 99th General Assembly must be installed  
22 by a qualified person in compliance with the requirements of  
23 Section 16-128A of the Public Utilities Act and any rules or  
24 regulations adopted thereunder.

25 (2) Notwithstanding anything to the contrary, an  
26 electricity provider shall provide credits for the electricity

1 produced by the projects described in paragraph (1) of this  
2 subsection (1). The electricity provider shall provide credits  
3 that include at least energy supply, capacity, transmission,  
4 and, if applicable, the purchased energy adjustment on the  
5 subscriber's monthly bill equal to the subscriber's share of  
6 the production of electricity from the project, as determined  
7 by paragraph (3) of this subsection (1). For customers with  
8 transmission or capacity charges not charged on a  
9 kilowatt-hour basis, the electricity provider shall prepare a  
10 reasonable approximation of the kilowatt-hour equivalent value  
11 and provide that value as a monetary credit. The electricity  
12 provider shall submit these approximation methodologies to the  
13 Commission for review, modification, and approval.  
14 Notwithstanding anything to the contrary, customers on payment  
15 plans or participating in budget billing programs shall have  
16 credits applied on a monthly basis.

17 (3) Notwithstanding anything to the contrary and  
18 regardless of whether a subscriber to an eligible community  
19 renewable generation project receives power and energy service  
20 from the electric utility or an alternative retail electric  
21 supplier, for projects eligible under paragraph (C) of  
22 subparagraph (1) of this subsection (1), electric utilities  
23 serving more than 200,000 customers as of January 1, 2021  
24 shall provide the monetary credits to a subscriber's  
25 subsequent bill for the electricity produced by community  
26 renewable generation projects. The electric utility shall

1 provide monetary credits to a subscriber's subsequent bill at  
2 the utility's total price to compare equal to the subscriber's  
3 share of the production of electricity from the project, as  
4 determined by paragraph (5) of this subsection (1). For the  
5 purposes of this subsection, "total price to compare" means  
6 the rate or rates published by the Illinois Commerce  
7 Commission for energy supply for eligible customers receiving  
8 supply service from the electric utility, and shall include  
9 energy, capacity, transmission, and the purchased energy  
10 adjustment. Notwithstanding anything to the contrary,  
11 customers on payment plans or participating in budget billing  
12 programs shall have credits applied on a monthly basis. Any  
13 applicable credit or reduction in load obligation from the  
14 production of the community renewable generating projects  
15 receiving a credit under this subsection shall be credited to  
16 the electric utility to offset the cost of providing the  
17 credit. To the extent that the credit or load obligation  
18 reduction does not completely offset the cost of providing the  
19 credit to subscribers of community renewable generation  
20 projects as described in this subsection, the electric utility  
21 may recover the remaining costs through its Multi-Year Rate  
22 Plan. All electric utilities serving 200,000 or fewer  
23 customers as of January 1, 2021 shall only provide the  
24 monetary credits to a subscriber's subsequent bill for the  
25 electricity produced by community renewable generation  
26 projects if the subscriber receives power and energy service

1 from the electric utility. Alternative retail electric  
2 suppliers providing power and energy service to a subscriber  
3 located within the service territory of an electric utility  
4 not subject to Sections 16-108.18 and 16-118 shall provide the  
5 monetary credits to the subscriber's subsequent bill for the  
6 electricity produced by community renewable generation  
7 projects.

8 (4) If requested by the owner or operator of a community  
9 renewable generating project, an electric utility serving more  
10 than 200,000 customers as of January 1, 2021 shall enter into a  
11 net crediting agreement with the owner or operator to include  
12 a subscriber's subscription fee on the subscriber's monthly  
13 electric bill and provide the subscriber with a net credit  
14 equivalent to the total bill credit value for that generation  
15 period minus the subscription fee, provided the subscription  
16 fee is structured as a fixed percentage of bill credit value.  
17 The net crediting agreement shall set forth payment terms from  
18 the electric utility to the owner or operator of the community  
19 renewable generating project, and the electric utility may  
20 charge a net crediting fee to the owner or operator of a  
21 community renewable generating project that may not exceed 1%  
22 of the subscription fee. Notwithstanding anything to the  
23 contrary, an electric utility serving 200,000 customers or  
24 fewer as of January 1, 2021 shall not be obligated to enter  
25 into a net crediting agreement with the owner or operator of a  
26 community renewable generating project. An electric utility

1 shall use the same net crediting format for subscribers on  
2 payment plans and subscribers participating in budget billing  
3 programs. For the purposes of this paragraph (4), "net  
4 crediting" means a program offered by an electric utility  
5 under which the electric utility, upon authorization by or on  
6 behalf of a subscriber, remits the cash value of the  
7 subscription fee to the owner or operator of the community  
8 renewable generation facility without regard to whether the  
9 subscriber has paid the subscriber's monthly electric bill and  
10 places the cash value of the remaining bill credit on the  
11 subscriber's bill.

12 (5) For the purposes of facilitating net metering, the  
13 owner or operator of the eligible renewable electrical  
14 generating facility or community renewable generation project  
15 shall be responsible for determining the amount of the credit  
16 that each customer or subscriber participating in a project  
17 under this subsection (1) is to receive in the following  
18 manner:

19 (A) The owner or operator shall, on a monthly basis,  
20 provide to the electric utility the kilowatthours of  
21 generation attributable to each of the utility's retail  
22 customers and subscribers participating in projects under  
23 this subsection (1) in accordance with the customer's or  
24 subscriber's share of the eligible renewable electric  
25 generating facility's or community renewable generation  
26 project's output of power and energy for such month. The

1 owner or operator shall electronically transmit such  
2 calculations and associated documentation to the electric  
3 utility, in a format or method set forth in the applicable  
4 tariff, on a monthly basis so that the electric utility  
5 can reflect the monetary credits on customers' and  
6 subscribers' electric utility bills. The electric utility  
7 shall be permitted to revise its tariffs to implement the  
8 provisions of this amendatory Act of the 102nd General  
9 Assembly. The owner or operator shall separately provide  
10 the electric utility with the documentation detailing the  
11 calculations supporting the credit in the manner set forth  
12 in the applicable tariff.

13 (B) For those participating customers and subscribers  
14 who receive their energy supply from an alternative retail  
15 electric supplier, the electric utility shall remit to the  
16 applicable alternative retail electric supplier the  
17 information provided under subparagraph (A) of this  
18 paragraph (3) for such customers and subscribers in a  
19 manner set forth in such alternative retail electric  
20 supplier's net metering program, or as otherwise agreed  
21 between the utility and the alternative retail electric  
22 supplier. The alternative retail electric supplier shall  
23 then submit to the utility the amount of the charges for  
24 power and energy to be applied to such customers and  
25 subscribers, including the amount of the credit associated  
26 with net metering.

1           (C) A participating customer or subscriber may provide  
2           authorization as required by applicable law that directs  
3           the electric utility to submit information to the owner or  
4           operator of the eligible renewable electrical generating  
5           facility or community renewable generation project to  
6           which the customer or subscriber has an ownership or  
7           leasehold interest or a subscription. Such information  
8           shall be limited to the components of the net metering  
9           credit calculated under this subsection (1), including the  
10          bill credit rate, total kilowatthours, and total monetary  
11          credit value applied to the customer's or subscriber's  
12          bill for the monthly billing period.

13          (1-5) Within 90 days after the effective date of this  
14          amendatory Act of the 102nd General Assembly, each electric  
15          utility subject to this Section shall file a tariff or tariffs  
16          to implement the provisions of subsection (1) of this Section,  
17          which shall, consistent with the provisions of subsection (1),  
18          describe the terms and conditions under which owners or  
19          operators of qualifying properties, units, or apartments may  
20          participate in net metering. The Commission shall approve, or  
21          approve with modification, the tariff within 120 days after  
22          the effective date of this amendatory Act of the 102nd General  
23          Assembly.

24          (1-10) Within 30 days after the effective date of this  
25          amendatory Act of the 104th General Assembly, each electricity  
26          provider shall modify its tariffs to allow net metering as set

1     forth in this subsection for an energy storage system or  
2     vehicle storage system energized after the effective date of  
3     this amendatory Act of the 104th General Assembly with a  
4     nameplate capacity of not more than 5,000 kilowatts. If the  
5     Commission chooses to suspend the modified tariffs, the  
6     Commission shall issue a final order approving, or approving  
7     with modification, the modified tariffs no later than 90 days  
8     after the Commission initiates the docket.

9     An energy storage system or vehicle storage system  
10    eligible for net metering under this subsection may be  
11    interconnected behind the meter of a retail customer or at the  
12    distribution system level of an electric utility as follows:

13           (A) if the energy storage system or vehicle storage  
14           system is interconnected behind the meter of a retail  
15           customer, in order to receive net metering under this  
16           subsection, the eligible customer behind whose meter the  
17           energy storage system is interconnected must receive  
18           service from an electricity provider under an hourly  
19           supply tariff, a time-of-use supply tariff, or a  
20           time-of-use contract with an alternative retail electric  
21           supplier; or

22           (B) if the energy storage system or vehicle storage  
23           system is interconnected at the distribution system level  
24           of an electric utility and not behind the meter of a retail  
25           customer, the energy storage system or vehicle storage  
26           system must receive service from an electricity provider

1 as a retail customer under an hourly supply tariff  
2 authorized by Section 16-107, a supply tariff or contract  
3 on substantially similar terms and conditions with an  
4 alternative retail electric supplier, a time-of-use supply  
5 tariff, or a time-of-use supply contract with an  
6 alternative retail electric supplier.

7 If the energy storage system or vehicle storage system is  
8 interconnected behind the meter of an eligible customer, the  
9 eligible customer shall receive net metering based on hourly  
10 or time-of-use rates in accordance with the terms of  
11 subsection (d-5) or (f) or paragraph (2) of subsection (n) of  
12 this Section, as applicable to the eligible customer. If the  
13 energy storage system or vehicle storage system is  
14 interconnected at the distribution system level of an electric  
15 utility and not behind the meter of a retail customer, then the  
16 energy storage system or vehicle storage system shall receive  
17 net metering pursuant to the terms of subsection (f) of this  
18 Section.

19 (m) Nothing in this Section shall affect the right of an  
20 electricity provider to continue to provide, or the right of a  
21 retail customer to continue to receive service pursuant to a  
22 contract for electric service between the electricity provider  
23 and the retail customer in accordance with the prices, terms,  
24 and conditions provided for in that contract. Either the  
25 electricity provider or the customer may require compliance  
26 with the prices, terms, and conditions of the contract.

1           (n) On and after January 1, 2025, the net metering  
2 services described in subsections (d), (d-5), and (e) of this  
3 Section shall no longer be offered, except as to those  
4 eligible renewable electrical generating facilities for which  
5 retail customers are receiving net metering service under  
6 these subsections at the time the net metering services under  
7 those subsections are no longer offered; those systems shall  
8 continue to receive net metering services described in  
9 subsections (d), (d-5), and (e) of this Section for the  
10 lifetime of the system, regardless of if those retail  
11 customers change electricity providers or whether the retail  
12 customer benefiting from the system changes. The electric  
13 utility serving more than 200,000 customers as of January 1,  
14 2021 is responsible for ensuring the billing credits continue  
15 without lapse for the lifetime of systems, as required in  
16 subsection (o). Those retail customers that begin taking net  
17 metering service after the date that net metering services are  
18 no longer offered under such subsections shall be subject to  
19 the provisions set forth in the following paragraphs (1)  
20 through (3) of this subsection (n):

21           (1) An electricity provider shall charge or credit for  
22 the net electricity supplied to eligible customers or  
23 provided by eligible customers whose electric supply  
24 service is not provided based on hourly pricing in the  
25 following manner:

26           (A) If the amount of electricity used by the

1 customer during the monthly billing period exceeds the  
2 amount of electricity produced by the customer, then  
3 the electricity provider shall charge the customer for  
4 the net kilowatt-hour based electricity charges  
5 reflected in the customer's electric service rate  
6 supplied to and used by the customer as provided in  
7 paragraph (3) of this subsection (n).

8 (B) If the amount of electricity produced by a  
9 customer during the monthly billing period exceeds the  
10 amount of electricity used by the customer during that  
11 billing period, then the electricity provider  
12 supplying that customer shall apply a 1:1  
13 kilowatt-hour energy or monetary credit kilowatt-hour  
14 supply charges to the customer's subsequent bill. The  
15 customer shall choose between 1:1 kilowatt-hour or  
16 monetary credit at the time of application. For the  
17 purposes of this subsection, "kilowatt-hour supply  
18 charges" means the kilowatt-hour equivalent values for  
19 energy, capacity, transmission, and the purchased  
20 energy adjustment, if applicable. Notwithstanding  
21 anything to the contrary, customers on payment plans  
22 or participating in budget billing programs shall have  
23 credits applied on a monthly basis. The electricity  
24 provider shall continue to carry over any excess  
25 kilowatt-hour or monetary energy credits earned and  
26 apply those credits to subsequent billing periods. For

1 customers with transmission or capacity charges not  
2 charged on a kilowatt-hour basis, the electricity  
3 provider shall prepare a reasonable approximation of  
4 the kilowatt-hour equivalent value and provide that  
5 value as a monetary credit. The electricity provider  
6 shall submit these approximation methodologies to the  
7 Commission for review, modification, and approval.

8 (C) (Blank).

9 (2) An electricity provider shall charge or credit for  
10 the net electricity supplied to eligible customers or  
11 provided by eligible customers whose electric supply  
12 service is provided based on hourly pricing in the  
13 following manner:

14 (A) If the amount of electricity used by the  
15 customer during any hourly period exceeds the amount  
16 of electricity produced by the customer, then the  
17 electricity provider shall charge the customer for the  
18 net electricity supplied to and used by the customer  
19 as provided in paragraph (3) of this subsection (n).

20 (B) If the amount of electricity produced by a  
21 customer during any hourly period exceeds the amount  
22 of electricity used by the customer during that hourly  
23 period, the energy provider shall calculate an energy  
24 credit for the net kilowatt-hours produced in such  
25 period, and shall apply that credit as a monetary  
26 credit to the customer's subsequent bill. The value of

1           the energy credit shall be calculated using the same  
2           price per kilowatt-hour as the electric service  
3           provider would charge for kilowatt-hour energy sales  
4           during that same hourly period and shall also include  
5           values for capacity and transmission. For customers  
6           with transmission or capacity charges not charged on a  
7           kilowatt-hour basis, the electricity provider shall  
8           prepare a reasonable approximation of the  
9           kilowatt-hour equivalent value and provide that value  
10          as a monetary credit. The electricity provider shall  
11          submit these approximation methodologies to the  
12          Commission for review, modification, and approval.  
13          Notwithstanding anything to the contrary, customers on  
14          payment plans or participating in budget billing  
15          programs shall have credits applied on a monthly  
16          basis.

17          (3) An electricity provider shall provide electric  
18          service to eligible customers who utilize net metering at  
19          non-discriminatory rates that are identical, with respect  
20          to rate structure, retail rate components, and any monthly  
21          charges, to the rates that the customer would be charged  
22          if not a net metering customer. An electricity provider  
23          shall charge the customer for the net electricity supplied  
24          to and used by the customer according to the terms of the  
25          contract or tariff to which the same customer would be  
26          assigned or be eligible for if the customer was not a net

1 metering customer. An electricity provider shall not  
2 charge net metering customers any fee or charge or require  
3 additional equipment, insurance, or any other requirements  
4 not specifically authorized by interconnection standards  
5 authorized by the Commission, unless the fee, charge, or  
6 other requirement would apply to other similarly situated  
7 customers who are not net metering customers. The customer  
8 remains responsible for the gross amount of delivery  
9 services charges, supply-related charges that are kilowatt  
10 based, and all taxes and fees related to such charges. The  
11 customer also remains responsible for all taxes and fees  
12 that would otherwise be applicable to the net amount of  
13 electricity used by the customer. Paragraphs (1) and (2)  
14 of this subsection (n) shall not be construed to prevent  
15 an arms-length agreement between an electricity provider  
16 and an eligible customer that sets forth different prices,  
17 terms, and conditions for the provision of net metering  
18 service, including, but not limited to, the provision of  
19 the appropriate metering equipment for non-residential  
20 customers. Nothing in this paragraph (3) shall be  
21 interpreted to mandate that a utility that is only  
22 required to provide delivery services to a given customer  
23 must also sell electricity to such customer.

24 (o) Within 90 days after the effective date of this  
25 amendatory Act of the 102nd General Assembly, each electric  
26 utility subject to this Section shall file a tariff, which

1 shall, consistent with the provisions of this Section, propose  
2 the terms and conditions under which a customer may  
3 participate in net metering. The tariff for electric utilities  
4 serving more than 200,000 customers as of January 1, 2021  
5 shall also provide a streamlined and transparent bill  
6 crediting system for net metering to be managed by the  
7 electric utilities. The terms and conditions shall include,  
8 but are not limited to, that an electric utility shall manage  
9 and maintain billing of net metering credits and charges  
10 regardless of if the eligible customer takes net metering  
11 under an electric utility or alternative retail electric  
12 supplier. The electric utility serving more than 200,000  
13 customers as of January 1, 2021 shall process and approve all  
14 net metering applications, even if an eligible customer is  
15 served by an alternative retail electric supplier; and the  
16 utility shall forward application approval to the appropriate  
17 alternative retail electric supplier. Eligibility for net  
18 metering shall remain with the owner of the utility billing  
19 address such that, if an eligible renewable electrical  
20 generating facility changes ownership, the net metering  
21 eligibility transfers to the new owner. The electric utility  
22 serving more than 200,000 customers as of January 1, 2021  
23 shall manage net metering billing for eligible customers to  
24 ensure full crediting occurs on electricity bills, including,  
25 but not limited to, ensuring net metering crediting begins  
26 upon commercial operation date, net metering billing transfers

1 immediately if an eligible customer switches from an electric  
2 utility to alternative retail electric supplier or vice versa,  
3 and net metering billing transfers between ownership of a  
4 valid billing address. All transfers referenced in the  
5 preceding sentence shall include transfer of all banked  
6 credits. All electric utilities serving 200,000 or fewer  
7 customers as of January 1, 2021 shall manage net metering  
8 billing for eligible customers receiving power and energy  
9 service from the electric utility to ensure full crediting  
10 occurs on electricity bills, ensuring net metering crediting  
11 begins upon commercial operation date, net metering billing  
12 transfers immediately if an eligible customer switches from an  
13 electric utility to alternative retail electric supplier or  
14 vice versa, and net metering billing transfers between  
15 ownership of a valid billing address. Alternative retail  
16 electric suppliers providing power and energy service to  
17 eligible customers located within the service territory of an  
18 electric utility serving 200,000 or fewer customers as of  
19 January 1, 2021 shall manage net metering billing for eligible  
20 customers to ensure full crediting occurs on electricity  
21 bills, including, but not limited to, ensuring net metering  
22 crediting begins upon commercial operation date, net metering  
23 billing transfers immediately if an eligible customer switches  
24 from an electric utility to alternative retail electric  
25 supplier or vice versa, and net metering billing transfers  
26 between ownership of a valid billing address.

1 (Source: P.A. 104-458, eff. 6-1-26.)

2 (220 ILCS 5/17-1000 new)

3 Sec. 17-1000. Interconnection application fees for public  
4 schools. A municipal system or electric cooperative shall not  
5 charge an application fee to a public school for the  
6 interconnection of renewable generating facilities located on  
7 the public school's land to the local distribution system that  
8 exceeds more than 150% of the cost authorized by law or by rule  
9 to be recovered from customers by public utilities for the  
10 same or similarly sized facilities with the same or similar  
11 electric configurations to the local distribution system. An  
12 interconnection application fee shall be in addition to  
13 inspection fees or costs, municipal building permit fees, and  
14 other normal fees charged by municipalities for governmental  
15 considerations related to non-electric utilities. The limit on  
16 an interconnection application fee under this Section does not  
17 apply to any required reimbursement by a public school of the  
18 cost of any reasonably required metering equipment, system  
19 impact studies, or system upgrades, which shall be limited to  
20 actual costs reasonably incurred.

21 Section 95. No acceleration or delay. Where this Act makes  
22 changes in a statute that is represented in this Act by text  
23 that is not yet or no longer in effect (for example, a Section  
24 represented by multiple versions), the use of that text does

1 not accelerate or delay the taking effect of (i) the changes  
2 made by this Act or (ii) provisions derived from any other  
3 Public Act.

4 Section 99. Effective date. This Act takes effect upon  
5 becoming law.