



Sen. Steve Stadelman

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10400SB3922sam002

LRB104 19421 AAS 37330 a

1 AMENDMENT TO SENATE BILL 3922

2 AMENDMENT NO. _____. Amend Senate Bill 3922 by deleting
3 line 4 on page 1 through line 10 on page 39; and

4 on page 76, line 18, after "Sections", by inserting
5 "16-107.5,"; and

6 on page 76, immediately below line 19, by inserting the
7 following:

8 "(220 ILCS 5/16-107.5)

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

10 Sec. 16-107.5. Net electricity metering.

11 (a) The General Assembly finds and declares that a program
12 to provide net electricity metering, as defined in this
13 Section, for eligible customers can encourage private
14 investment in renewable energy resources, stimulate economic
15 growth, enhance the continued diversification of Illinois'

1 energy resource mix, and protect the Illinois environment.
2 Further, to achieve the goals of this Act that robust options
3 for customer-site distributed generation continue to thrive in
4 Illinois, the General Assembly finds that a predictable
5 transition must be ensured for customers between full net
6 metering at the retail electricity rate to the distribution
7 generation rebate described in Section 16-107.6.

8 (b) As used in this Section, (i) "community renewable
9 generation project" shall have the meaning set forth in
10 Section 1-10 of the Illinois Power Agency Act; (ii) "eligible
11 customer" means a retail customer that owns, hosts, or
12 operates, including any third-party owned systems, a solar,
13 wind, or other eligible renewable electrical generating
14 facility that is located on the customer's premises or
15 customer's side of the billing meter and is intended primarily
16 to offset the customer's own current or future electrical
17 requirements; (iii) "electricity provider" means an electric
18 utility or alternative retail electric supplier; (iv)
19 "eligible renewable electrical generating facility" means a
20 generator, which may include the co-location of an energy
21 storage system, that is interconnected under rules adopted by
22 the Commission and is powered by solar electric energy, wind,
23 dedicated crops grown for electricity generation, agricultural
24 residues, untreated and unadulterated wood waste, livestock
25 manure, anaerobic digestion of livestock or food processing
26 waste, fuel cells or microturbines powered by renewable fuels,

1 or hydroelectric energy; (v) "net electricity metering" (or
2 "net metering") means the measurement, during the billing
3 period applicable to an eligible customer, of the net amount
4 of electricity supplied by an electricity provider to the
5 customer or provided to the electricity provider by the
6 customer or subscriber; (vi) "subscriber" shall have the
7 meaning as set forth in Section 1-10 of the Illinois Power
8 Agency Act; (vii) "subscription" shall have the meaning set
9 forth in Section 1-10 of the Illinois Power Agency Act; (viii)
10 "energy storage system" means commercially available
11 technology that is capable of absorbing energy and storing it
12 for a period of time for use at a later time, including, but
13 not limited to, electrochemical, thermal, and
14 electromechanical technologies, and may be interconnected
15 behind the customer's meter or interconnected behind its own
16 meter; and (ix) "future electrical requirements" means modeled
17 electrical requirements upon occupation of a new or vacant
18 property, and other reasonable expectations of future
19 electrical use, as well as, for occupied properties, a
20 reasonable approximation of the annual load of 2 electric
21 vehicles and, for non-electric heating customers, a reasonable
22 approximation of the incremental electric load associated with
23 fuel switching. The approximations shall be applied to the
24 appropriate net metering tariff and do not need to be unique to
25 each individual eligible customer. The utility shall submit
26 these approximations to the Commission for review,

1 modification, and approval.

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

5 (1) For eligible customers whose electric service has
6 not been declared competitive pursuant to Section 16-113
7 of this Act as of July 1, 2011 and whose electric delivery
8 service is provided and measured on a kilowatt-hour basis
9 and electric supply service is not provided based on
10 hourly pricing, this shall typically be accomplished
11 through use of a single, bi-directional meter. If the
12 eligible customer's existing electric revenue meter does
13 not meet this requirement, the electricity provider shall
14 arrange for the local electric utility or a meter service
15 provider to install and maintain a new revenue meter at
16 the electricity provider's expense, which may be the smart
17 meter described by subsection (b) of Section 16-108.5 of
18 this Act.

19 (2) For eligible customers whose electric service has
20 not been declared competitive pursuant to Section 16-113
21 of this Act as of July 1, 2011 and whose electric delivery
22 service is provided and measured on a kilowatt demand
23 basis and electric supply service is not provided based on
24 hourly pricing, this shall typically be accomplished
25 through use of a dual channel meter capable of measuring
26 the flow of electricity both into and out of the

1 customer's facility at the same rate and ratio. If such
2 customer's existing electric revenue meter does not meet
3 this requirement, then 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 (3) For all other eligible customers, until such time
10 as the local electric utility installs a smart meter, as
11 described by subsection (b) of Section 16-108.5 of this
12 Act, the electricity provider may arrange for the local
13 electric utility or a meter service provider to install
14 and maintain metering equipment capable of measuring the
15 flow of electricity both into and out of the customer's
16 facility at the same rate and ratio, typically through the
17 use of a dual channel meter. If the eligible customer's
18 existing electric revenue meter does not meet this
19 requirement, then the costs of installing such equipment
20 shall be paid for by the customer.

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

1 supply service is not provided based on hourly pricing in the
2 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, 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.

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

22 (3) At the end of the year or annualized over the
23 period that service is supplied by means of net metering,
24 or in the event that the retail customer terminates
25 service with the electricity provider prior to the end of
26 the year or the annualized period, any remaining credits

1 in the customer's account shall expire.

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

10 (1) If the amount of electricity used by the customer
11 during any hourly period or time-of-use period exceeds the
12 amount of electricity produced by the customer, the
13 electricity provider shall charge the customer for the net
14 electricity supplied to and used by the customer according
15 to the terms of the contract or tariff to which the same
16 customer would be assigned to or be eligible for if the
17 customer was not a net metering customer.

18 (2) If the amount of electricity produced by a
19 customer during any hourly period or time-of-use period
20 exceeds the amount of electricity used by the customer
21 during that hourly period or time-of-use period, the
22 energy provider shall apply a credit for the net
23 kilowatt-hours produced in such period. The credit shall
24 consist of an energy credit and a delivery service credit.
25 The energy credit shall be valued at the same price per
26 kilowatt-hour as the electric service provider would

1 charge for kilowatt-hour energy sales during that same
2 hourly period or time-of-use period. The delivery credit
3 shall be equal to the net kilowatt-hours produced in such
4 hourly period or time-of-use period times a credit that
5 reflects all kilowatt-hour based charges in the customer's
6 electric service rate, excluding energy charges.

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

14 (1) If the amount of electricity used by the customer
15 during the billing period exceeds the amount of
16 electricity produced by the customer, then the electricity
17 provider shall charge the customer for the net electricity
18 supplied to and used by the customer as provided in
19 subsection (e-5) of this Section. The customer shall
20 remain responsible for all taxes, fees, and utility
21 delivery charges that would otherwise be applicable to the
22 net amount of electricity used by the customer.

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

1 customer shall apply a 1:1 kilowatt-hour credit that
2 reflects the kilowatt-hour based charges in the customer's
3 electric service rate to a subsequent bill for service to
4 the customer for the net electricity supplied to the
5 electricity provider. The electricity provider shall
6 continue to carry over any excess kilowatt-hour credits
7 earned and apply those credits to subsequent billing
8 periods to offset any customer-generator consumption in
9 those billing periods until all credits are used or until
10 the end of the 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 (e-5) 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 to
20 rate structure, retail rate components, and any monthly
21 charges, to the rates that the customer would be charged if not
22 a net 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 not
25 specifically authorized by interconnection standards
26 authorized by the Commission, unless the fee, charge, or other

1 requirement would apply to other similarly situated customers
2 who are not net metering customers. The customer will remain
3 responsible for all taxes, fees, and utility delivery charges
4 that would otherwise be applicable to the net amount of
5 electricity used by the customer. Subsections (c) through (e)
6 of this Section shall not be construed to prevent an
7 arms-length agreement between an electricity provider and an
8 eligible customer that sets forth different prices, terms, and
9 conditions for the provision of net metering service,
10 including, but not limited to, the provision of the
11 appropriate metering equipment for non-residential customers.

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

19 (1) The electricity provider shall assess and the
20 customer remains responsible for all taxes, fees, and
21 utility delivery charges that would otherwise be
22 applicable to the gross amount of kilowatt-hours supplied
23 to the eligible customer by the electricity provider.

24 (2) Each month that service is supplied by means of
25 dual-channel metering, the electricity provider shall
26 compensate the eligible customer for any excess

1 kilowatt-hour credits at the electricity provider's
2 avoided cost of electricity supply over the monthly period
3 or as otherwise specified by the terms of a power-purchase
4 agreement negotiated between the customer and electricity
5 provider.

6 (3) For all eligible net metering customers taking
7 service from an electricity provider under contracts or
8 tariffs employing hourly or time-of-use rates, any monthly
9 consumption of electricity shall be calculated according
10 to the terms of the contract or tariff to which the same
11 customer would be assigned to or be eligible for if the
12 customer was not a net metering customer. When those same
13 customer-generators are net generators during any discrete
14 hourly or time-of-use period, the net kilowatt-hours
15 produced shall be valued at the same price per
16 kilowatt-hour as the electric service provider would
17 charge for retail kilowatt-hour sales during that same
18 time-of-use period.

19 (g) For purposes of federal and State laws providing
20 renewable energy credits or greenhouse gas credits, the
21 eligible customer shall be treated as owning and having title
22 to the renewable energy attributes, renewable energy credits,
23 and greenhouse gas emission credits related to any electricity
24 produced by the qualified generating unit. The electricity
25 provider may not condition participation in a net metering
26 program on the signing over of a customer's renewable energy

1 credits; provided, however, this subsection (g) shall not be
2 construed to prevent an arms-length agreement between an
3 electricity provider and an eligible customer that sets forth
4 the ownership or title of the credits.

5 (h) Within 120 days after the effective date of this
6 amendatory Act of the 95th General Assembly, the Commission
7 shall establish standards for net metering and, if the
8 Commission has not already acted on its own initiative,
9 standards for the interconnection of eligible renewable
10 generating equipment to the utility system. The
11 interconnection standards shall address any procedural
12 barriers, delays, and administrative costs associated with the
13 interconnection of customer-generation while ensuring the
14 safety and reliability of the units and the electric utility
15 system. The Commission shall consider the Institute of
16 Electrical and Electronics Engineers (IEEE) Standard 1547 and
17 the issues of (i) reasonable and fair fees and costs, (ii)
18 clear timelines for major milestones in the interconnection
19 process, (iii) nondiscriminatory terms of agreement, and (iv)
20 any best practices for interconnection of distributed
21 generation.

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

25 (1) establish an Interconnection Working Group. The
26 working group shall include representatives from electric

1 utilities, developers of renewable electric generating
2 facilities, other industries that regularly apply for
3 interconnection with the electric utilities,
4 representatives of distributed generation customers, the
5 Commission Staff, and such other stakeholders with a
6 substantial interest in the topics addressed by the
7 Interconnection Working Group. The Interconnection Working
8 Group shall address at least the following issues:

9 (A) cost and best available technology for
10 interconnection and metering, including the
11 standardization and publication of standard costs;

12 (B) transparency, accuracy and use of the
13 distribution interconnection queue and hosting
14 capacity maps;

15 (C) distribution system upgrade cost avoidance
16 through use of advanced inverter functions;

17 (D) predictability of the queue management process
18 and enforcement of timelines;

19 (E) benefits and challenges associated with group
20 studies and cost sharing;

21 (F) minimum requirements for application to the
22 interconnection process and throughout the
23 interconnection process to avoid queue clogging
24 behavior;

25 (G) process and customer service for
26 interconnecting customers adopting distributed energy

1 resources, including energy storage;

2 (H) options for metering distributed energy
3 resources, including energy storage;

4 (I) interconnection of new technologies, including
5 smart inverters and energy storage;

6 (J) collect, share, and examine data on Level 1
7 interconnection costs, including cost and type of
8 upgrades required for interconnection, and use this
9 data to inform the final standardized cost of Level 1
10 interconnection; and

11 (K) such other technical, policy, and tariff
12 issues related to and affecting interconnection
13 performance and customer service as determined by the
14 Interconnection Working Group.

15 The Commission may create subcommittees of the
16 Interconnection Working Group to focus on specific issues
17 of importance, as appropriate. The Interconnection Working
18 Group shall report to the Commission on recommended
19 improvements to interconnection rules and tariffs and
20 policies as determined by the Interconnection Working
21 Group at least every 6 months. Such reports shall include
22 consensus recommendations of the Interconnection Working
23 Group and, if applicable, additional recommendations for
24 which consensus was not reached. The Commission shall use
25 the report from the Interconnection Working Group to
26 determine whether processes should be commenced to

1 formally codify or implement the recommendations;

2 (2) create or contract for an Ombudsman to resolve
3 interconnection disputes through non-binding arbitration.

4 The Ombudsman may be paid in full or in part through fees
5 levied on the initiators of the dispute; and

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

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

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

23 (k) Each electricity provider shall maintain records and
24 report annually to the Commission the total number of net
25 metering customers served by the provider, as well as the
26 type, capacity, and energy sources of the generating systems

1 used by the net metering customers. Nothing in this Section
2 shall limit the ability of an electricity provider to request
3 the redaction of information deemed by the Commission to be
4 confidential business information.

5 (1)(1) Notwithstanding the definition of "eligible
6 customer" in item (ii) of subsection (b) of this Section, each
7 electricity provider shall allow net metering as set forth in
8 this subsection (1) and for the following projects, provided
9 that only electric utilities serving more than 200,000
10 customers as of January 1, 2021 shall provide net metering for
11 projects that are eligible for subparagraph (C) of this
12 paragraph (1) and have energized after the effective date of
13 this amendatory Act of the 102nd General Assembly:

14 (A) properties owned or leased by multiple customers
15 that contribute to the operation of an eligible renewable
16 electrical generating facility through an ownership or
17 leasehold interest of at least 200 watts in such facility,
18 such as a community-owned wind project, a community-owned
19 biomass project, a community-owned solar project, or a
20 community methane digester processing livestock waste from
21 multiple sources, provided that the facility is also
22 located within the utility's service territory;

23 (B) individual units, apartments, or properties
24 located in a single building that are owned or leased by
25 multiple customers and collectively served by a common
26 eligible renewable electrical generating facility, such as

1 an office or apartment building, a shopping center or
2 strip mall served by photovoltaic panels on the roof; and

3 (C) subscriptions to community renewable generation
4 projects, including community renewable generation
5 projects on the customer's side of the billing meter of a
6 host facility and partially used for the customer's own
7 load.

8 In addition, the nameplate capacity of the eligible
9 renewable electric generating facility that serves the demand
10 of the properties, units, or apartments identified in
11 paragraphs (1) and (2) of this subsection (1) shall not exceed
12 5,000 kilowatts in nameplate capacity in total. Any eligible
13 renewable electrical generating facility or community
14 renewable generation project that is powered by photovoltaic
15 electric energy and installed after the effective date of this
16 amendatory Act of the 99th General Assembly must be installed
17 by a qualified person in compliance with the requirements of
18 Section 16-128A of the Public Utilities Act and any rules or
19 regulations adopted thereunder.

20 (2) Notwithstanding anything to the contrary, an
21 electricity provider shall provide credits for the electricity
22 produced by the projects described in paragraph (1) of this
23 subsection (1). The electricity provider shall provide credits
24 that include at least energy supply, capacity, transmission,
25 and, if applicable, the purchased energy adjustment on the
26 subscriber's monthly bill equal to the subscriber's share of

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

12 (3) Notwithstanding anything to the contrary and
13 regardless of whether a subscriber to an eligible community
14 renewable generation project receives power and energy service
15 from the electric utility or an alternative retail electric
16 supplier, for projects eligible under paragraph (C) of
17 subparagraph (1) of this subsection (1), electric utilities
18 serving more than 200,000 customers as of January 1, 2021
19 shall provide the monetary credits to a subscriber's
20 subsequent bill for the electricity produced by community
21 renewable generation projects. The electric utility shall
22 provide monetary credits to a subscriber's subsequent bill at
23 the utility's total price to compare equal to the subscriber's
24 share of the production of electricity from the project, as
25 determined by paragraph (5) of this subsection (1). For the
26 purposes of this subsection, "total price to compare" means

1 the rate or rates published by the Illinois Commerce
2 Commission for energy supply for eligible customers receiving
3 supply service from the electric utility, and shall include
4 energy, capacity, transmission, and the purchased energy
5 adjustment. Notwithstanding anything to the contrary,
6 customers on payment plans or participating in budget billing
7 programs shall have credits applied on a monthly basis. Any
8 applicable credit or reduction in load obligation from the
9 production of the community renewable generating projects
10 receiving a credit under this subsection shall be credited to
11 the electric utility to offset the cost of providing the
12 credit. To the extent that the credit or load obligation
13 reduction does not completely offset the cost of providing the
14 credit to subscribers of community renewable generation
15 projects as described in this subsection, the electric utility
16 may recover the remaining costs through its Multi-Year Rate
17 Plan. All electric utilities serving 200,000 or fewer
18 customers as of January 1, 2021 shall only provide the
19 monetary credits to a subscriber's subsequent bill for the
20 electricity produced by community renewable generation
21 projects if the subscriber receives power and energy service
22 from the electric utility. Alternative retail electric
23 suppliers providing power and energy service to a subscriber
24 located within the service territory of an electric utility
25 not subject to Sections 16-108.18 and 16-118 shall provide the
26 monetary credits to the subscriber's subsequent bill for the

1 electricity produced by community renewable generation
2 projects.

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

22 (5) For the purposes of facilitating net metering, the
23 owner or operator of the eligible renewable electrical
24 generating facility or community renewable generation project
25 shall be responsible for determining the amount of the credit
26 that each customer or subscriber participating in a project

1 under this subsection (1) is to receive in the following
2 manner:

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

23 (B) For those participating customers and subscribers
24 who receive their energy supply from an alternative retail
25 electric supplier, the electric utility shall remit to the
26 applicable alternative retail electric supplier the

1 information provided under subparagraph (A) of this
2 paragraph (3) for such customers and subscribers in a
3 manner set forth in such alternative retail electric
4 supplier's net metering program, or as otherwise agreed
5 between the utility and the alternative retail electric
6 supplier. The alternative retail electric supplier shall
7 then submit to the utility the amount of the charges for
8 power and energy to be applied to such customers and
9 subscribers, including the amount of the credit associated
10 with net metering.

11 (C) A participating customer or subscriber may provide
12 authorization as required by applicable law that directs
13 the electric utility to submit information to the owner or
14 operator of the eligible renewable electrical generating
15 facility or community renewable generation project to
16 which the customer or subscriber has an ownership or
17 leasehold interest or a subscription. Such information
18 shall be limited to the components of the net metering
19 credit calculated under this subsection (1), including the
20 bill credit rate, total kilowatthours, and total monetary
21 credit value applied to the customer's or subscriber's
22 bill for the monthly billing period.

23 (1-5) Within 90 days after the effective date of this
24 amendatory Act of the 102nd General Assembly, each electric
25 utility subject to this Section shall file a tariff or tariffs
26 to implement the provisions of subsection (1) of this Section,

1 which shall, consistent with the provisions of subsection (l),
2 describe the terms and conditions under which owners or
3 operators of qualifying properties, units, or apartments may
4 participate in net metering. The Commission shall approve, or
5 approve with modification, the tariff within 120 days after
6 the effective date of this amendatory Act of the 102nd General
7 Assembly.

8 (m) Nothing in this Section shall affect the right of an
9 electricity provider to continue to provide, or the right of a
10 retail customer to continue to receive service pursuant to a
11 contract for electric service between the electricity provider
12 and the retail customer in accordance with the prices, terms,
13 and conditions provided for in that contract. Either the
14 electricity provider or the customer may require compliance
15 with the prices, terms, and conditions of the contract.

16 (n) On and after January 1, 2025, the net metering
17 services described in subsections (d), (d-5), and (e) of this
18 Section shall no longer be offered, except as to those
19 eligible renewable electrical generating facilities for which
20 retail customers are receiving net metering service under
21 these subsections at the time the net metering services under
22 those subsections are no longer offered; those systems shall
23 continue to receive net metering services described in
24 subsections (d), (d-5), and (e) of this Section for the
25 lifetime of the system, regardless of if those retail
26 customers change electricity providers or whether the retail

1 customer benefiting from the system changes. The electric
2 utility serving more than 200,000 customers as of January 1,
3 2021 is responsible for ensuring the billing credits continue
4 without lapse for the lifetime of systems, as required in
5 subsection (o). Those retail customers that begin taking net
6 metering service after the date that net metering services are
7 no longer offered under such subsections shall be subject to
8 the provisions set forth in the following paragraphs (1)
9 through (3) of this subsection (n):

10 (1) An electricity provider shall charge or credit for
11 the net electricity supplied to eligible customers or
12 provided by eligible customers whose electric supply
13 service is not provided based on hourly pricing in the
14 following manner:

15 (A) If the amount of electricity used by the
16 customer during the monthly billing period exceeds the
17 amount of electricity produced by the customer, then
18 the electricity provider shall charge the customer for
19 the net kilowatt-hour based electricity charges
20 reflected in the customer's electric service rate
21 supplied to and used by the customer as provided in
22 paragraph (3) of this subsection (n).

23 (B) If the amount of electricity produced by a
24 customer during the monthly billing period exceeds the
25 amount of electricity used by the customer during that
26 billing period, then the electricity provider

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

23 (C) (Blank).

24 (2) An electricity provider shall charge or credit for
25 the net electricity supplied to eligible customers or
26 provided by eligible customers whose electric supply

1 service is provided based on hourly pricing in the
2 following manner:

3 (A) If the amount of electricity used by the
4 customer during any hourly period exceeds the amount
5 of electricity produced by the customer, then the
6 electricity provider shall charge the customer for the
7 net electricity supplied to and used by the customer
8 as provided in paragraph (3) of this subsection (n).

9 (B) If the amount of electricity produced by a
10 customer during any hourly period exceeds the amount
11 of electricity used by the customer during that hourly
12 period, the energy provider shall calculate an energy
13 credit for the net kilowatt-hours produced in such
14 period, and shall apply that credit as a monetary
15 credit to the customer's subsequent bill. The value of
16 the energy credit shall be calculated using the same
17 price per kilowatt-hour as the electric service
18 provider would charge for kilowatt-hour energy sales
19 during that same hourly period and shall also include
20 values for capacity and transmission. For customers
21 with transmission or capacity charges not charged on a
22 kilowatt-hour basis, the electricity provider shall
23 prepare a reasonable approximation of the
24 kilowatt-hour equivalent value and provide that value
25 as a monetary credit. The electricity provider shall
26 submit these approximation methodologies to the

1 Commission for review, modification, and approval.
2 Notwithstanding anything to the contrary, customers on
3 payment plans or participating in budget billing
4 programs shall have credits applied on a monthly
5 basis.

6 (3) 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
9 to rate structure, retail rate components, and any monthly
10 charges, to the rates that the customer would be charged
11 if not a net metering customer. An electricity provider
12 shall charge the customer for the net electricity supplied
13 to and used by the customer according to the terms of the
14 contract or tariff to which the same customer would be
15 assigned or be eligible for if the customer was not a net
16 metering customer. An electricity provider shall not
17 charge net metering customers any fee or charge or require
18 additional equipment, insurance, or any other requirements
19 not specifically authorized by interconnection standards
20 authorized by the Commission, unless the fee, charge, or
21 other requirement would apply to other similarly situated
22 customers who are not net metering customers. The customer
23 remains responsible for the gross amount of delivery
24 services charges, supply-related charges that are kilowatt
25 based, and all taxes and fees related to such charges. The
26 customer also remains responsible for all taxes and fees

1 that would otherwise be applicable to the net amount of
2 electricity used by the customer. Paragraphs (1) and (2)
3 of this subsection (n) shall not be construed to prevent
4 an arms-length agreement between an electricity provider
5 and an eligible customer that sets forth different prices,
6 terms, and conditions for the provision of net metering
7 service, including, but not limited to, the provision of
8 the appropriate metering equipment for non-residential
9 customers. Nothing in this paragraph (3) shall be
10 interpreted to mandate that a utility that is only
11 required to provide delivery services to a given customer
12 must also sell electricity to such customer.

13 (o) 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, which
16 shall, consistent with the provisions of this Section, propose
17 the terms and conditions under which a customer may
18 participate in net metering. The tariff for electric utilities
19 serving more than 200,000 customers as of January 1, 2021
20 shall also provide a streamlined and transparent bill
21 crediting system for net metering to be managed by the
22 electric utilities. The terms and conditions shall include,
23 but are not limited to, that an electric utility shall manage
24 and maintain billing of net metering credits and charges
25 regardless of if the eligible customer takes net metering
26 under an electric utility or alternative retail electric

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

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

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

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

18 Sec. 16-107.5. Net electricity metering.

19 (a) The General Assembly finds and declares that a program
20 to provide net electricity metering, as defined in this
21 Section, for eligible customers can encourage private
22 investment in renewable energy resources, stimulate economic
23 growth, enhance the continued diversification of Illinois'
24 energy resource mix, and protect the Illinois environment.
25 Further, to achieve the goals of this Act that robust options

1 for customer-site distributed generation and storage continue
2 to thrive in Illinois, the General Assembly finds that a
3 predictable transition must be ensured for customers between
4 full net metering at the retail electricity rate to the
5 distribution generation rebate described in Section 16-107.6.

6 (b) As used in this Section:

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

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

18 (iii) "Electricity provider" means an electric utility
19 or alternative retail electric supplier.

20 (iv) "Eligible renewable electrical generating
21 facility" means a generator, which may include the
22 colocation of an energy storage system, that is
23 interconnected under rules adopted by the Commission and
24 is powered by solar electric energy, wind, dedicated crops
25 grown for electricity generation, agricultural residues,
26 untreated and unadulterated wood waste, livestock manure,

1 anaerobic digestion of livestock or food processing waste,
2 fuel cells or microturbines powered by renewable fuels, or
3 hydroelectric energy.

4 (v) "Net electricity metering" (or "net metering")
5 means the measurement, during the billing period
6 applicable to an eligible customer, of the net amount of
7 electricity supplied by an electricity provider to the
8 customer or provided to the electricity provider by the
9 customer or subscriber.

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

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

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

21 (ix) "Future electrical requirements" means modeled
22 electrical requirements upon occupation of a new or vacant
23 property, and other reasonable expectations of future
24 electrical use, as well as, for occupied properties, a
25 reasonable approximation of the annual load of 2 electric
26 vehicles and, for non-electric heating customers, a

1 reasonable approximation of the incremental electric load
2 associated with fuel switching. The approximations shall
3 be applied to the appropriate net metering tariff and do
4 not need to be unique to each individual eligible
5 customer. The utility shall submit these approximations to
6 the Commission for review, modification, and approval.

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

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

14 (1) For eligible customers whose electric service has
15 not been declared competitive pursuant to Section 16-113
16 of this Act as of July 1, 2011 and whose electric delivery
17 service is provided and measured on a kilowatt-hour basis
18 and electric supply service is not provided based on
19 hourly pricing, this shall typically be accomplished
20 through use of a single, bi-directional meter. If the
21 eligible customer's existing electric revenue meter does
22 not meet this requirement, the electricity provider shall
23 arrange for the local electric utility or a meter service
24 provider to install and maintain a new revenue meter at
25 the electricity provider's expense, which may be the smart
26 meter described by subsection (b) of Section 16-108.5 of

1 this Act.

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

18 (3) For all other eligible customers, until such time
19 as the local electric utility installs a smart meter, as
20 described by subsection (b) of Section 16-108.5 of this
21 Act, the electricity provider may arrange for the local
22 electric utility or a meter service provider to install
23 and maintain metering equipment capable of measuring the
24 flow of electricity both into and out of the customer's
25 facility at the same rate and ratio, typically through the
26 use of a dual channel meter. If the eligible customer's

1 existing electric revenue meter does not meet this
2 requirement, then the costs of installing such equipment
3 shall be paid for by the customer.

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

12 (1) If the amount of electricity used by the customer
13 during the billing period exceeds the amount of
14 electricity produced by the customer, the electricity
15 provider shall charge the customer for the net electricity
16 supplied to and used by the customer as provided in
17 subsection (e-5) of this Section.

18 (2) If the amount of electricity produced by a
19 customer during the billing period exceeds the amount of
20 electricity used by the customer during that billing
21 period, the electricity provider supplying that customer
22 shall apply a 1:1 kilowatt-hour credit to a subsequent
23 bill for service to the customer for the net electricity
24 supplied to the electricity provider. The electricity
25 provider shall continue to carry over any excess
26 kilowatt-hour credits earned and apply those credits to

1 subsequent billing periods to offset any
2 customer-generator consumption in those billing periods
3 until all credits are used or until the end of the
4 annualized period.

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

11 (d-5) 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 provided based on hourly pricing or
18 time-of-use rates in the following manner:

19 (1) If the amount of electricity used by the customer
20 during any hourly period or time-of-use period exceeds the
21 amount of electricity produced by the customer, the
22 electricity provider shall charge the customer for the net
23 electricity supplied to and used by the customer according
24 to the terms of the contract or tariff to which the same
25 customer would be assigned to or be eligible for if the
26 customer was not a net metering customer.

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

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

23 (1) If the amount of electricity used by the customer
24 during the billing period exceeds the amount of
25 electricity produced by the customer, then the electricity
26 provider shall charge the customer for the net electricity

1 supplied to and used by the customer as provided in
2 subsection (e-5) of this Section. The customer shall
3 remain responsible for all taxes, fees, and utility
4 delivery charges that would otherwise be applicable to the
5 net amount of electricity used by the customer.

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

20 (3) At the end of the year or annualized over the
21 period that service is supplied by means of net metering,
22 or in the event that the retail customer terminates
23 service with the electricity provider prior to the end of
24 the year or the annualized period, any remaining credits
25 in the customer's account shall expire.

26 (e-5) An electricity provider shall provide electric

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

21 (f) Notwithstanding the requirements of subsections (c)
22 through (e-5) of this Section, an electricity provider must
23 require dual-channel metering for customers operating eligible
24 renewable electrical generating facilities to whom the
25 provisions of neither subsection (d), (d-5), nor (e) of this
26 Section apply. In such cases, electricity charges and credits

1 shall be determined as follows:

2 (1) The electricity provider shall assess and the
3 customer remains responsible for all taxes, fees, and
4 utility delivery charges that would otherwise be
5 applicable to the gross amount of kilowatt-hours supplied
6 to the eligible customer by the electricity provider.

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

15 (3) For all eligible net metering customers taking
16 service from an electricity provider under contracts or
17 tariffs employing hourly or time-of-use rates, any monthly
18 consumption of electricity shall be calculated according
19 to the terms of the contract or tariff to which the same
20 customer would be assigned to or be eligible for if the
21 customer was not a net metering customer. When those same
22 customer-generators are net generators during any discrete
23 hourly or time-of-use period, the net kilowatt-hours
24 produced shall be valued at the same price per
25 kilowatt-hour as the electric service provider would
26 charge for retail kilowatt-hour sales during that same

1 time-of-use period.

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

14 (h) Within 120 days after the effective date of this
15 amendatory Act of the 95th General Assembly, the Commission
16 shall establish standards for net metering and, if the
17 Commission has not already acted on its own initiative,
18 standards for the interconnection of eligible renewable
19 generating equipment to the utility system. The
20 interconnection standards shall address any procedural
21 barriers, delays, and administrative costs associated with the
22 interconnection of customer-generation while ensuring the
23 safety and reliability of the units and the electric utility
24 system. The Commission shall consider the Institute of
25 Electrical and Electronics Engineers (IEEE) Standard 1547 and
26 the issues of (i) reasonable and fair fees and costs, (ii)

1 clear timelines for major milestones in the interconnection
2 process, (iii) nondiscriminatory terms of agreement, and (iv)
3 any best practices for interconnection of distributed
4 generation.

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

7 (j) An electricity provider shall provide net metering to
8 eligible customers according to subsections (d), (d-5), and
9 (e). Eligible renewable electrical generating facilities for
10 which eligible customers registered for net metering before
11 January 1, 2025 shall continue to receive net metering
12 services according to subsections (d), (d-5), and (e) of this
13 Section for the lifetime of the system, regardless of whether
14 those retail customers change electricity providers or whether
15 the retail customer benefiting from the system changes. On and
16 after January 1, 2025, any eligible customer that applies for
17 net metering and previously would have qualified under
18 subsections (d), (d-5), or (e) shall only be eligible for net
19 metering as described in subsection (n).

20 (k) Each electricity provider shall maintain records and
21 report annually to the Commission the total number of net
22 metering customers served by the provider, as well as the
23 type, capacity, and energy sources of the generating systems
24 used by the net metering customers. Nothing in this Section
25 shall limit the ability of an electricity provider to request
26 the redaction of information deemed by the Commission to be

1 confidential business information.

2 (1)(1) Notwithstanding the definition of "eligible
3 customer" in item (ii) of subsection (b) of this Section, each
4 electricity provider shall allow net metering as set forth in
5 this subsection (1) and for the following projects, provided
6 that only electric utilities serving more than 200,000
7 customers as of January 1, 2021 shall provide net metering for
8 projects that are eligible for subparagraph (C) of this
9 paragraph (1) and have energized after the effective date of
10 this amendatory Act of the 102nd General Assembly:

11 (A) properties owned or leased by multiple customers
12 that contribute to the operation of an eligible renewable
13 electrical generating facility through an ownership or
14 leasehold interest of at least 200 watts in such facility,
15 such as a community-owned wind project, a community-owned
16 biomass project, a community-owned solar project, or a
17 community methane digester processing livestock waste from
18 multiple sources, provided that the facility is also
19 located within the utility's service territory;

20 (B) individual units, apartments, or properties
21 located in a single building that are owned or leased by
22 multiple customers and collectively served by a common
23 eligible renewable electrical generating facility, such as
24 an office or apartment building, a shopping center or
25 strip mall served by photovoltaic panels on the roof; and

26 (C) subscriptions to community renewable generation

1 projects, including community renewable generation
2 projects on the customer's side of the billing meter of a
3 host facility and partially used for the customer's own
4 load.

5 In addition, the nameplate capacity of the eligible
6 renewable electric generating facility that serves the demand
7 of the properties, units, or apartments identified in
8 paragraphs (1) and (2) of this subsection (1) shall not exceed
9 5,000 kilowatts in nameplate capacity in total. Any eligible
10 renewable electrical generating facility or community
11 renewable generation project that is powered by photovoltaic
12 electric energy and installed after the effective date of this
13 amendatory Act of the 99th General Assembly must be installed
14 by a qualified person in compliance with the requirements of
15 Section 16-128A of the Public Utilities Act and any rules or
16 regulations adopted thereunder.

17 (2) Notwithstanding anything to the contrary, an
18 electricity provider shall provide credits for the electricity
19 produced by the projects described in paragraph (1) of this
20 subsection (1). The electricity provider shall provide credits
21 that include at least energy supply, capacity, transmission,
22 and, if applicable, the purchased energy adjustment on the
23 subscriber's monthly bill equal to the subscriber's share of
24 the production of electricity from the project, as determined
25 by paragraph (3) of this subsection (1). For customers with
26 transmission or capacity charges not charged on a

1 kilowatt-hour basis, the electricity provider shall prepare a
2 reasonable approximation of the kilowatt-hour equivalent value
3 and provide that value as a monetary credit. The electricity
4 provider shall submit these approximation methodologies to the
5 Commission for review, modification, and approval.
6 Notwithstanding anything to the contrary, customers on payment
7 plans or participating in budget billing programs shall have
8 credits applied on a monthly basis.

9 (3) Notwithstanding anything to the contrary and
10 regardless of whether a subscriber to an eligible community
11 renewable generation project receives power and energy service
12 from the electric utility or an alternative retail electric
13 supplier, for projects eligible under paragraph (C) of
14 subparagraph (1) of this subsection (1), electric utilities
15 serving more than 200,000 customers as of January 1, 2021
16 shall provide the monetary credits to a subscriber's
17 subsequent bill for the electricity produced by community
18 renewable generation projects. The electric utility shall
19 provide monetary credits to a subscriber's subsequent bill at
20 the utility's total price to compare equal to the subscriber's
21 share of the production of electricity from the project, as
22 determined by paragraph (5) of this subsection (1). For the
23 purposes of this subsection, "total price to compare" means
24 the rate or rates published by the Illinois Commerce
25 Commission for energy supply for eligible customers receiving
26 supply service from the electric utility, and shall include

1 energy, capacity, transmission, and the purchased energy
2 adjustment. Notwithstanding anything to the contrary,
3 customers on payment plans or participating in budget billing
4 programs shall have credits applied on a monthly basis. Any
5 applicable credit or reduction in load obligation from the
6 production of the community renewable generating projects
7 receiving a credit under this subsection shall be credited to
8 the electric utility to offset the cost of providing the
9 credit. To the extent that the credit or load obligation
10 reduction does not completely offset the cost of providing the
11 credit to subscribers of community renewable generation
12 projects as described in this subsection, the electric utility
13 may recover the remaining costs through its Multi-Year Rate
14 Plan. All electric utilities serving 200,000 or fewer
15 customers as of January 1, 2021 shall only provide the
16 monetary credits to a subscriber's subsequent bill for the
17 electricity produced by community renewable generation
18 projects if the subscriber receives power and energy service
19 from the electric utility. Alternative retail electric
20 suppliers providing power and energy service to a subscriber
21 located within the service territory of an electric utility
22 not subject to Sections 16-108.18 and 16-118 shall provide the
23 monetary credits to the subscriber's subsequent bill for the
24 electricity produced by community renewable generation
25 projects.

26 (4) If requested by the owner or operator of a community

1 renewable generating project, an electric utility serving more
2 than 200,000 customers as of January 1, 2021 shall enter into a
3 net crediting agreement with the owner or operator to include
4 a subscriber's subscription fee on the subscriber's monthly
5 electric bill and provide the subscriber with a net credit
6 equivalent to the total bill credit value for that generation
7 period minus the subscription fee, provided the subscription
8 fee is structured as a fixed percentage of bill credit value.
9 The net crediting agreement shall set forth payment terms from
10 the electric utility to the owner or operator of the community
11 renewable generating project, and the electric utility may
12 charge a net crediting fee to the owner or operator of a
13 community renewable generating project that may not exceed 1%
14 of the subscription fee. Notwithstanding anything to the
15 contrary, an electric utility serving 200,000 customers or
16 fewer as of January 1, 2021 shall not be obligated to enter
17 into a net crediting agreement with the owner or operator of a
18 community renewable generating project. An electric utility
19 shall use the same net crediting format for subscribers on
20 payment plans and subscribers participating in budget billing
21 programs. For the purposes of this paragraph (4), "net
22 crediting" means a program offered by an electric utility
23 under which the electric utility, upon authorization by or on
24 behalf of a subscriber, remits the cash value of the
25 subscription fee to the owner or operator of the community
26 renewable generation facility without regard to whether the

1 subscriber has paid the subscriber's monthly electric bill and
2 places the cash value of the remaining bill credit on the
3 subscriber's bill.

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

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

1 Assembly. The owner or operator shall separately provide
2 the electric utility with the documentation detailing the
3 calculations supporting the credit in the manner set forth
4 in the applicable tariff.

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

19 (C) A participating customer or subscriber may provide
20 authorization as required by applicable law that directs
21 the electric utility to submit information to the owner or
22 operator of the eligible renewable electrical generating
23 facility or community renewable generation project to
24 which the customer or subscriber has an ownership or
25 leasehold interest or a subscription. Such information
26 shall be limited to the components of the net metering

1 credit calculated under this subsection (1), including the
2 bill credit rate, total kilowatthours, and total monetary
3 credit value applied to the customer's or subscriber's
4 bill for the monthly billing period.

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

16 (1-10) Within 30 days after the effective date of this
17 amendatory Act of the 104th General Assembly, each electricity
18 provider shall modify its tariffs to allow net metering as set
19 forth in this subsection for an energy storage system or
20 vehicle storage system energized after the effective date of
21 this amendatory Act of the 104th General Assembly with a
22 nameplate capacity of not more than 5,000 kilowatts. If the
23 Commission chooses to suspend the modified tariffs, the
24 Commission shall issue a final order approving, or approving
25 with modification, the modified tariffs no later than 90 days
26 after the Commission initiates the docket.

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

5 (A) if the energy storage system or vehicle storage
6 system is interconnected behind the meter of a retail
7 customer, in order to receive net metering under this
8 subsection, the eligible customer behind whose meter the
9 energy storage system is interconnected must receive
10 service from an electricity provider under an hourly
11 supply tariff, a time-of-use supply tariff, or a
12 time-of-use contract with an alternative retail electric
13 supplier; or

14 (B) if the energy storage system or vehicle storage
15 system is interconnected at the distribution system level
16 of an electric utility and not behind the meter of a retail
17 customer, the energy storage system or vehicle storage
18 system must receive service from an electricity provider
19 as a retail customer under an hourly supply tariff
20 authorized by Section 16-107, a supply tariff or contract
21 on substantially similar terms and conditions with an
22 alternative retail electric supplier, a time-of-use supply
23 tariff, or a time-of-use supply contract with an
24 alternative retail electric supplier.

25 If the energy storage system or vehicle storage system is
26 interconnected behind the meter of an eligible customer, the

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

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

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

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

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

18 (A) If the amount of electricity used by the
19 customer during the monthly billing period exceeds the
20 amount of electricity produced by the customer, then
21 the electricity provider shall charge the customer for
22 the net kilowatt-hour based electricity charges
23 reflected in the customer's electric service rate
24 supplied to and used by the customer as provided in
25 paragraph (3) of this subsection (n).

26 (B) If the amount of electricity produced by a

customer during the monthly billing period exceeds the amount of electricity used by the customer during that billing period, then the electricity provider supplying that customer shall apply a 1:1 kilowatt-hour energy or monetary credit kilowatt-hour supply charges to the customer's subsequent bill. The customer shall choose between 1:1 kilowatt-hour or monetary credit at the time of application. For the purposes of this subsection, "kilowatt-hour supply charges" means the kilowatt-hour equivalent values for energy, capacity, transmission, and the purchased energy adjustment, if applicable. Notwithstanding anything to the contrary, customers on payment plans or participating in budget billing programs shall have credits applied on a monthly basis. The electricity provider shall continue to carry over any excess kilowatt-hour or monetary energy credits earned and apply those credits to subsequent billing periods. For customers with transmission or capacity charges not charged on a kilowatt-hour basis, the electricity provider shall prepare a reasonable approximation of the kilowatt-hour equivalent value and provide that value as a monetary credit. The electricity provider shall submit these approximation methodologies to the Commission for review, modification, and approval.

(C) (Blank).

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

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

12 (B) If the amount of electricity produced by a
13 customer during any hourly period exceeds the amount
14 of electricity used by the customer during that hourly
15 period, the energy provider shall calculate an energy
16 credit for the net kilowatt-hours produced in such
17 period, and shall apply that credit as a monetary
18 credit to the customer's subsequent bill. The value of
19 the energy credit shall be calculated using the same
20 price per kilowatt-hour as the electric service
21 provider would charge for kilowatt-hour energy sales
22 during that same hourly period and shall also include
23 values for capacity and transmission. For customers
24 with transmission or capacity charges not charged on a
25 kilowatt-hour basis, the electricity provider shall
26 prepare a reasonable approximation of the

1 kilowatt-hour equivalent value and provide that value
2 as a monetary credit. The electricity provider shall
3 submit these approximation methodologies to the
4 Commission for review, modification, and approval.
5 Notwithstanding anything to the contrary, customers on
6 payment plans or participating in budget billing
7 programs shall have credits applied on a monthly
8 basis.

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

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

16 (o) Within 90 days after the effective date of this
17 amendatory Act of the 102nd General Assembly, each electric
18 utility subject to this Section shall file a tariff, which
19 shall, consistent with the provisions of this Section, propose
20 the terms and conditions under which a customer may
21 participate in net metering. The tariff for electric utilities
22 serving more than 200,000 customers as of January 1, 2021
23 shall also provide a streamlined and transparent bill
24 crediting system for net metering to be managed by the
25 electric utilities. The terms and conditions shall include,
26 but are not limited to, that an electric utility shall manage

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

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

19 (Source: P.A. 104-458, eff. 6-1-26.)"; and

20 on page 96, line 23, by replacing "and" with "~~and~~"; and

21 on page 96, line 25, by replacing "meter" with "meter, and is
22 permanently fixed to the distribution grid and capable of
23 discharging to the distribution grid"; and

1 on page 114, immediately below line 18, by inserting the
2 following:

3 "(m) A vehicle storage system, as defined in Section
4 16-107.5, is not eligible for a rebate under this Section.".