

LARAMIE/ALBANY COUNTY ENVIRONMENTAL ADVISORY COMMITTEE

CITY COUNCIL CHAMBERS, CITY HALL
406 IVINSON AVE, LARAMIE, WY 82070
THURSDAY, November 5, 2020 AT 6:00 PM

The Laramie/Albany County Environmental Advisory Committee meetings are open to the public but seating is limited due to COVID restrictions. Requests from person with disabilities must be made to the City Manager's Office 24 hours in advance of the meeting.

Join Zoom Meeting

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pwd=Vk1OZXFuOEprUVFhY01heHpoMTY3UT09](https://us02web.zoom.us/j/86294873601?pwd=Vk1OZXFuOEprUVFhY01heHpoMTY3UT09)

Meeting ID: 862 9487 3601

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1. **CALL TO ORDER**
2. **APPROVAL OF AGENDA**
 - 2-A. **Changes and Approval of Agenda**
3. **CITIZEN COMMENTS- Non-Agenda Related Topics- No Action Can Be Taken**
4. **ENVIRONMENTAL ADVISORY COMMITTEE AND STAFF: Reports And Comments**
5. **DISCLOSURES**
6. **NEW BUSINESS**
 - 6.A. **Discussion And Possible Action Regarding House Bill 0226 Related To Public Utilities And Net Metering System.**

Suggested Motion:

So move that EAC approve a position statement opposing the proposed amendment to Wyoming's net-metering statutes and that this position statement be read at the Joint Corporations, Elections and Political Subdivisions Interim Committee meeting on November 11, 2020.

Documents:

EAC - NET METERING POSITION STATEMENT 2020.PDF
07-2020110921LSO-0219V0.7.PDF
2020-NET-METERING-FACT-SHEET-WOC.PDF

7. DATE OF NEXT REGULAR MEETING- December 3, 2020

8. ADJOURN



Laramie/Albany County Environmental Advisory Committee

November 5, 2020

RE: Position statement on proposed amendments to Wyoming's net-metering bill

Dear Laramie City Councilors and Albany County Commissioners,

Here, the Environmental Advisory Committee (EAC) shares our concerns about proposed amendments to decrease the payback of solar power production in [21LSO-0219](#) of Wyoming's net-metering statutes. We oppose the amendments, "The customer-generator shall pay the retail rate to the electric utility for all energy consumed from the electric utility during the billing period" and "The electric utility shall pay the customer-generator the electric utility's avoided cost rate for all energy produced by the customer-generator and delivered back to the electric utility during the billing period." Further, we oppose the amendment that net-metering only be allowed for "customer generated electricity systems made operational prior to July 1, 2021 and that have not changed ownership on or after July 1, 2021." The position statement here is an update of our 2019 statement, which was shared with Laramie City Council and the Albany County Commissions and read at the Joint Corporations, Elections, and Political Subdivisions Interim Committee meeting. We will read this updated position statement at the Legislative Interim Committee Meeting on Nov. 11 and encourage Laramie City Councilors and Albany County Commissioners to *once again* join our efforts in encouraging members of this Legislative Interim Committee to oppose these proposed amendments.

The currently proposed amendments would reduce incentives for investment in renewable energy by constraining the net-metering cap and eliminating incentives for systems installed after July 1, 2021. We instead advocate for maintaining or raising the current cap to encourage investments that would help Laramie become carbon neutral, provide long-term cost savings, and support job growth. This March, Laramie City Council unanimously passed a resolution establishing intent to achieve carbon neutrality by 2050, and key to achieving this goal is the installation of solar energy systems on municipal buildings. Solar panels are currently being installed on the Rec Center and the Ice and Events Center thanks to a Rocky Mountain Power Blue Sky Award. Future solar installations will require financial backing from the city, which is much more likely with the guarantee of fair payback for excess energy produced. Private citizens also benefit from net-metering. For example, virtual net-metering would provide opportunities for low-income residents or residents that rent or live in an apartment to save money on power bills. Last, states surrounding Wyoming continue to see an increase of jobs for solar installers while Wyoming currently ranks 43rd for jobs within the solar industry. In times of an economic transition for Wyoming, we need to be doing everything we can to provide employment opportunities for future generations.

EAC exists to "analyze assigned issues, receive and analyze citizen concerns and complaints, formulate options, and advise the City Council and the Board of County Commissioners on environmental issues."¹

The proposed amendments fall within our mandate because decreasing dependence on fossil fuels and increasing use of renewable energy are essential to minimize climate change. In Albany County, we feel the effects of climate change on our water resources and on wildfire frequency and intensity. University of Wyoming climate scientists studied the North Platte River Basin and determined that spring precipitation and snow melt are steadily shifting to earlier in the year, meaning that there is less water later in the growing season, when it is so critical for agriculture. 2019 was a good example. Although we had a wet, cool spring, with greater than average snowfall and snowpack in our basin, Laramie's total yearly precipitation was well below average. Meeting the challenges of climate change demands urgent attention, primarily through seeking alternative sources of energy. Renewable energy offers an environmentally-sound alternative for meeting our current energy needs, but the proposed amendments would stifle the extent to which Albany County—and Wyoming more broadly—can do so.

Commented [EC1]: Is it worth including this? The paragraph above is the powerful one, but this paragraph previously served as our justification for EAC weighing in. If we do want to include mention of the Mullen fire, we might get rid of the 2019-specific data and add the following: This September, the Mullen Fire decimated over 175,000 acres in our beloved Snowy Mountains and threatened Cheyenne's water supply. Air quality in Albany was terrible for weeks as the fire burned.

We appreciate the attention to renewable energy and thank you for your consideration.

Respectfully,

The Laramie/Albany County Environmental Advisory Committee

¹<https://www.cityofaramie.org/217/Environmental-Advisory-Committee>

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO.

Customer generated electricity systems.

Sponsored by: Representative(s) Eyre

A BILL

for

1 AN ACT relating to public utilities; modifying the net
2 metering article; amending definitions; providing
3 additional authority to electric utilities as specified;
4 amending payment processes as specified; and providing for
5 an effective date.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

8

9 **Section 1.** W.S. 37-16-101(a)(intro), (ii),
10 (viii)(intro) and (B), 37-16-102(a)(i) and by creating new
11 paragraphs (iv) and (v), 37-16-103(a)(intro) and by
12 creating a new paragraph (iv), (b) and by creating a new

1 subsection (c) and 37-16-104(a) through (c) are amended to
2 read:

3

4

ARTICLE 1

5

CUSTOMER GENERATED ELECTRICITY SYSTEMS

6

7

37-16-101. Definitions.

8

9 (a) As used in this ~~chapter unless the context or a~~
10 ~~specific article; otherwise requires:~~

11

12 (ii) "Customer-generator" means ~~a user of a net~~
13 ~~metering~~ a person or entity with a customer generated
14 electricity system installed, other than an electric
15 utility;

16

17 (viii) "~~Net metering~~ Customer generated
18 electricity system" means a facility for the production of
19 electrical energy that:

20

21 (B) Has a generating capacity of not more
22 than twenty-five (25) kilowatts, except as otherwise
23 provided by W.S. 37-16-102(a)(v);

1

2 **37-16-102. Electric utility requirements.**

3

4 (a) An electric utility:

5

6 (i) Shall offer to make available to each of its
7 eligible customer-generators that has installed a ~~net~~
8 ~~metering~~customer generated electricity system an energy
9 meter that is capable of registering the flow of
10 electricity in two (2) directions;

11

12 (iv) May enter into a contract with a customer-
13 generator consistent with the provisions of this article
14 relating to the use, maintenance, cost, payment or any
15 other feature of the customer generated electricity system;

16

17 (v) May authorize a customer-generator to use a
18 customer generated electricity system that has a generating
19 capacity of more than twenty-five (25) kilowatts. If an
20 electric utility authorizes the use of a customer generated
21 electricity system under this paragraph then all terms and
22 conditions regarding use and operation of the system shall

1 be provided for in a contract between the
2 customer-generator and the electric utility.

3

4 **37-16-103. Calculation requirements.**

5

6 (a) ~~Consistent with other provisions of this chapter,~~
7 Until June 30, 2031, for customer generated electricity
8 systems made operational prior to July 1, 2021 and that
9 have not changed ownership on or after July 1, 2021, the
10 net energy measurement shall be calculated in the following
11 manner:

12

13 (iv) The calculation shall be consistent with
14 other provisions of this article.

15

16 (b) ~~At the beginning of each calendar year~~ For
17 customer generated electricity systems subject to
18 subsection (a) of this section and for all customer
19 generated electricity systems after June 30, 2031, at the
20 end of a period not to exceed twelve (12) months, as
21 selected by the electric utility, any remaining unused
22 kilowatt-hour credit accumulated during the previous ~~year~~

1 period shall be sold to the electric utility, at the
2 electric utility's filed avoided cost.

3

4 (c) For customer generated electricity systems not
5 subject to subsection (a) of this section the energy
6 measurement shall be calculated in the following manner:

7

8 (i) The electric utility shall measure the
9 electricity produced and consumed during the billing
10 period, in accordance with normal metering practices;

11

12 (ii) The customer-generator shall pay the retail
13 rate to the electric utility for all energy consumed from
14 the electric utility during the billing period;

15

16 (iii) The electric utility shall pay the
17 customer-generator the electric utility's avoided cost rate
18 for all energy produced by the customer-generator and
19 delivered back to the electric utility during the billing
20 period. The customer-generator shall be credited or
21 compensated for the excess kilowatt-hours generated during
22 a billing period with the kilowatt-hour credit or

1 compensation appearing on the customer-generator's bill for
2 the following billing period;

3
4 (iv) The calculation shall be consistent with
5 other provisions of this article.

6
7 **37-16-104. Safety and performance requirements.**

8
9 (a) A ~~net-metering~~customer generated electricity
10 system used by a customer-generator shall meet all
11 applicable safety and performance standards established by
12 the national electrical code, the institute of electrical
13 and electronics engineers and underwriters laboratories.

14
15 (b) The customer-generator shall at its expense
16 provide lockable, switching equipment capable of isolating
17 the ~~net-metering facility~~customer generated electricity
18 system from the electric utility's system. Such equipment
19 shall be approved by the electric utility and shall be
20 accessible by the electric utility at all times.

21
22 (c) The electric utility shall not be liable directly
23 or indirectly for permitting or continuing to allow an

1 attachment of a ~~net metering facility~~ customer generated
2 electricity system, or for acts or omissions of the
3 customer-generator that cause loss or injury, including
4 death, to any third party.

5

6 **Section 2.** W.S. 37-16-101(a)(vii) is repealed.

7

8 *****

9 **STAFF COMMENT**

10 The italicized language would be repealed by Section 2 of
11 this act:

12

13 37-16-101. Definitions.

14

15 (a) As used in this chapter unless the context or a
16 specific article otherwise requires:

17

18 (vii) *"Net metering" means measuring the*
19 *difference between the electricity supplied by an electric*
20 *utility and the electricity generated by a customer-*
21 *generator that is fed back to the electric utility over the*
22 *applicable billing period;*

23

24 *****

25

26 **Section 3.** This act is effective July 1, 2021.

27

28 (END)

HELP WYOMING SAVE ROOFTOP SOLAR (AGAIN!)

Public comment needed to kill upcoming draft bill on net metering

BACKGROUND

Net metering is a policy that allows owners of small, on-site renewable energy systems (homes, schools, and businesses) to get credit for the extra power they supply to the electricity grid. For example, when a homeowner's rooftop solar panels generate more power than what is needed on sunny days, the excess electricity is sent to the grid and can be used by neighbors. Net metering allows the owners of the solar array to get credit for this extra energy supplied to the grid, which they can use later in the year, covering the cost of future electricity needs. Currently, Wyoming law only allows small residential-sized systems — 25 kilowatts or less — to be eligible for net metering credit.

The Wyoming State Legislature's Interim Corporations, Elections & Political Subdivisions Committee is considering a bill that would dramatically overhaul the existing net metering statute governing rooftop solar and other distributed energy sources. The bill contains amendments to existing net metering law that will make small scale renewable systems much less affordable for Wyomingites by reducing the amount they are paid for the energy these systems produce.¹ To be clear, altering the viability of net metering means **killing businesses like rooftop solar companies in Wyoming** by eliminating important financial incentives and adding considerable economic uncertainty for existing and future net-metered customers. Additionally, if this bill were to pass, it would make net metering optional and give utilities the ability to set unfavorable terms for those with net-metered facilities.

WHAT WYOMING STANDS TO LOSE

This bill threatens to destroy an emerging industry at a time when **Wyoming should be diversifying its economy** and creating new employment opportunities in the energy sector. There are currently 13 solar businesses in our state, and about 159 jobs in the solar industry.² **According to the U.S. Bureau of Labor Statistics, solar jobs are the fastest growing occupation and solar energy is one of the fastest growing economic sectors in the country.** We should be encouraging the growth of rooftop solar businesses — not destroying them! Finally, this bill would threaten the long-term investments made by nearly 1300 net-metered customers across Wyoming and would make it more difficult for residents, schools, and local governments to save money by producing local, renewable power onsite.

Tell the committee to stop attacking our current net metering law and start focusing on the real job and cost-saving opportunities that Wyoming desperately needs.

A BILL DEVELOPED WITHOUT PUBLIC INPUT

As if these concerns weren't enough, we are seriously alarmed at the lack of transparency around the development of this bill. **Last year, hundreds of Wyomingites submitted letters or provided public testimony defending net metering to this very committee.** Despite that outpouring of public support, this year's bill was brought up only *after* the public comment period in the final minutes of the committee's last meeting in September. In fact, the first publicly available version of this bill was only made available 2 weeks prior to the November committee meeting and was written without any significant effort to engage stakeholders who will be negatively impacted by the change in policy.

¹ Although this bill could impact all types of distributed energy generation it would mostly impact rooftop solar customers and companies. Solar energy makes up 83 percent of the total net-metered generation in Wyoming.

² Solar Energy Industries Association. Wyoming State Spotlight. 2019.

KEY TALKING POINTS

- **Wyoming can grow the rooftop solar industry without harming other utility customers.** Net metering is responsible for less than 6/100th's of a percent of all retail electric sales of Wyoming. For context, the total amount of net-metered capacity installed in Wyoming is 7.69 MW – roughly the capacity of 2-3 averaged sized utility-scale wind turbines. The best available research suggests that net metering does NOT have a noticeable impact on the rates of other power customers until it reaches 5–10 percent of retail electric sales. Wyoming could grow the amount of energy produced by net metering nearly 100 times and just barely be within this threshold!³
- **Unfairly targeting net-metered consumers limits energy choice for Wyomingites.** Net metering is an important tool that gives Wyomingites the ability to choose how they get power. This policy provides for a fair deal between folks who have invested in these systems and the utility company, ensuring that small-scale energy systems are accessible to a range of Wyoming homes and businesses.
- **Wyoming should not limit the growth of the fastest growing industry and job market in the United States.** Wyoming ranks 43rd in the country for solar jobs per capita, yet has the 8th best solar resource in the nation. We need to diversify our economy and support innovation in the private sector to close this gap. We also need policies that help grow jobs and keep Wyoming as a viable place to make a living in a 21st century economy.
- **Legislators should consider the many additional values of producing local, clean, renewable energy.** Rooftop solar has health, social, and environmental benefits that far outpace other forms of energy production. When excess energy is provided to the grid, it provides cost benefits to other customers by preventing utilities from overbuilding unnecessary capacity and avoiding distribution losses since energy is produced at the same location where it is used.
- **If it's not broke, stop trying to fix it.** Hundreds of Wyomingites have made strategic, long-term investments into net metering facilities across the state. People who have invested in these systems are frustrated at repeated attempts in the legislature to curtail private investment in energy choice despite the lack of evidence that net metering is causing any harm to other utility customers.

WHAT CAN YOU DO?

The Corporations committee will discuss the bill at its meeting on Wednesday, November 11. Please contact these members and urge them to keep Wyoming's net metering law the way it is, and oppose any new bills. *In your comments, please be respectful and concise, and speak from your experience and values. If you have a solar installation on your property, please talk about the direct impact you will feel.*

COMMITTEE MEMBERS

Sen. Bill Landen | Bill.Landen@wyoleg.gov
Sen. Tara Nethercott | Tara.Nethercott@wyoleg.gov
Sen. Charles Scott | Charles.Scott@wyoleg.gov
Rep. Jim Blackburn | Jim.Blackburn@wyoleg.gov
Rep. Scott Clem | Scott.Clem@wyoleg.gov
Rep. Shelly Duncan | Shelly.Duncan@wyoleg.gov
Rep. Danny Eyre | Danny.Eyre@wyoleg.gov

Sen. Cale Case | Cale.Case@wyoleg.gov
Sen. Wendy Schuler | Wendy.Schuler@wyoleg.gov
Rep. Tyler Lindholm | Tyler.Lindholm@wyoleg.gov
Rep. Aaron Clausen | Aaron.Clausen@wyoleg.gov
Rep. Andi Clifford | Andrea.Clifford@wyoleg.gov
Rep. Roy Edwards | Roy.Edwards@wyoleg.gov
Rep. Dan Furphy | Dan.Furphy@wyoleg.gov

³ U.S. Department of Energy and Association of Utility Commissioners