

152 tax and able to demonstrate its tax-exempt status;

153 (B) supplies energy to the customer through use of a customer generation system, as
154 defined in Section 54-15-102, for use on the real property where the customer generation
155 system is located;

156 (C) supplies energy using a customer generation system designed to supply the lesser
157 of:

158 (I) no more than 90% of the average annual consumption of electricity by the customer
159 at that site, based on an annualized billing period; or

160 (II) the maximum size allowable under net metering provisions, defined in Section
161 54-15-102;

162 (D) notifies the customer before installing the customer generation system of:

163 (I) all costs the customer is required to pay for the customer generation system,
164 including any interconnection costs; and

165 (II) the potential for future changes in amounts paid by the customer for energy
166 received from the public utility and the possibility of changes to the customer fees or charges to
167 the customer associated with net metering and generation; ~~§~~ **[and]** ~~§~~

168 (E) enters into and performs in accordance with an interconnection agreement with a
169 public utility providing retail electric service where the real property on which the customer
170 generation system is located, with the rates, terms, and conditions of the retail service and
171 interconnection agreement subject to approval by the governing authority of the public utility,
172 as defined in Subsection 54-15-102(8) ~~§~~ **[]** ; and **[]** ~~[]~~ ~~§~~

173 ~~§~~ **[]** (F) installs the relevant customer generation system by December 31, ~~§~~ **[2015]**
173a **2021** ~~§~~ . **[]** ~~§~~

174 (e) Any person or corporation defined as an electrical corporation or public utility
175 under this section may continue to serve its existing customers subject to any order or future
176 determination of the commission in reference to the right to serve those customers.

177 (f) (i) "Public utility" does not include any person that is otherwise considered a public
178 utility under this Subsection (16) solely because of that person's ownership of an interest in an
179 electric plant, cogeneration facility, or small power production facility in this state if all of the
180 following conditions are met:

181 (A) the ownership interest in the electric plant, cogeneration facility, or small power
182 production facility is leased to: