

# HB0367S01 compared with HB0367

~~{Omitted text}~~ shows text that was in HB0367 but was omitted in HB0367S01

inserted text shows text that was not in HB0367 but was inserted into HB0367S01

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## Solar Power Utility Amendments

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Raymond P. Ward**

Senate Sponsor:

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### LONG TITLE

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#### General Description:

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This bill enacts new provisions related to net metering of electricity.

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#### Highlighted Provisions:

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This bill:

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- defines terms;

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- authorizes the Public Service Commission to establish an optional time-of-use export pricing tariff for net metering customers;

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- requires differential pricing for customer-generated electricity based on time of day or real-time market conditions;

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- establishes a minimum floor for export credits; and

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- provides customer protections including voluntary participation and retention of existing options.

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#### Money Appropriated in this Bill:

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None

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#### Other Special Clauses:

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None

HB0367

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### Utah Code Sections Affected:

ENACTS:

**54-15-109** , Utah Code Annotated 1953

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section 1 is enacted to read:

**54-15-109. Optional time-of-use export pricing tariff.**

(1) As used in this section:

{(a) { "~~Export credit floor~~" means the minimum value at which an electrical corporation shall credit a customer for excess customer-generated electricity under a time-of-use export pricing tariff. } }

(b){ (a) } "Real-time pricing" means pricing for excess customer-generated electricity that reflects the { ~~actual or near-actual wholesale market price of~~ } value of customer-generated electricity at the { ~~time the electricity~~ } hour it is delivered to the electrical corporation.

(c){ (b) } "Seasonal time-of-use pricing" means pricing for excess customer-generated electricity that establishes predetermined export credit rates for defined { ~~time periods based on historical or anticipated patterns~~ } periods, generally corresponding to climatic seasons, that reflect the value of customer-generated electricity { ~~demand, rather than actual wholesale market prices~~ } for the period.

(d){ (c) } "Time-of-use export pricing tariff" means a tariff approved by the commission that provides differential pricing for excess customer-generated electricity using either seasonal time-of-use pricing or real-time pricing.

(2) The commission shall require each electrical corporation with a net metering program or other program to compensate customers for their excess customer-generated electricity to make available to customers enrolling in or participating in { ~~the net metering program~~ } such programs a time-of-use export pricing tariff { ~~as an optional alternative to the standard net metering tariff described in Section 54-15-104~~ } .

(3) The commission may approve one or more time-of-use export pricing tariffs.

(4) Each time-of-use export pricing tariff shall:

(a) use one of the following pricing methods:

(i) seasonal time-of-use pricing; or

(ii) real-time pricing;

{(b) { ~~establish an export credit floor that is:~~ } }

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- 50 { (i) { ~~not less than 60% of the applicable retail electricity rate; and~~ } }
- 51 { (ii) { ~~not less than zero;~~ } }
- 52 (c){ (b) } allow a customer participating in a { ~~net metering program~~ } time-of-use export pricing tariff  
to determine when the customer exports excess customer-generated electricity to the electrical  
corporation; and
- 55 (d){ (c) } provide differential rates for crediting excess customer-generated electricity.
- 56 (5) A customer participating in a net metering or a net billing program:
- 57 (a) may elect to participate in a time-of-use export pricing tariff on a voluntary basis;
- 58 (b) is not required to participate in a time-of-use export pricing tariff;and
- 59 { ~~(e) { may continue to participate in any other net metering tariff for which the customer is eligible  
under this chapter; and~~ } }
- 61 (d){ (c) } may change between tariff options in accordance with the terms and conditions established by  
the commission.
- 63 (6) An electrical corporation shall:
- 64 (a) provide clear written disclosure to a customer before the customer elects to participate in a time-of-  
use export pricing tariff that explains:
- 66 (i) how the time-of-use export pricing tariff differs from { ~~the standard net metering tariff~~ } alternative  
tariffs available to the customer;
- 68 (ii) the time periods and corresponding credit rates under the time-of-use export pricing tariff;and
- 70 { ~~(iii) { the conditions under which the export credit floor applies; and~~ } }
- 71 (iv){ (iii) } the customer's ability to return to the { ~~standard net metering~~ } customer's previous tariff; and
- 72 (b) allow a customer participating in a time-of-use export pricing tariff to return to the { ~~standard net  
metering~~ } customer's previous tariff in accordance with terms and conditions established by the  
commission.
- 75 (7) A time-of-use export pricing tariff:
- 76 (a) shall be compatible with metering equipment approved under Section 54-15-103; and
- 77 (b) may include provisions for coordination with battery storage systems or other energy storage  
technologies.
- 79 (8) The commission shall establish a time-of-use export pricing tariff as required by this section no later  
than { ~~six months~~ } one year after the effective date of this section.
- 81 (9) Nothing in this section:

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- 82 (a) modifies or impairs the rights of a customer participating in a net metering or net billing program  
under an existing tariff or rate schedule;
- 84 (b) requires a customer to change from an existing tariff or rate schedule; or
- 85 (c) affects the authority of the commission to determine costs and benefits under Section 54-15-105.1 or  
to establish charges, credits, or ratemaking structures under this chapter.

80 Section 2. **Effective date.**

Effective Date.

This bill takes effect on May 6, 2026.

2-3-26 9:16 AM