

54-17-805 Costs associated with delivering electricity from a renewable energy facility to a contract customer.

- (1) To the extent that a renewable energy contract provides for the delivery of electricity from a renewable energy facility owned by the contract customer, the renewable energy contract shall require the contract customer to pay for the use of the qualified utility's transmission or distribution facilities at the qualified utility's applicable rates, which may include transmission costs at the qualified utility's applicable rate approved by the Federal Energy Regulatory Commission.
- (2) To the extent that a renewable energy contract provides for the delivery of electricity from a renewable energy facility owned by a person other than the qualified utility or the contract customer, the renewable energy contract shall require the contract customer to bear all reasonably identifiable costs that the qualified utility incurs in delivering the electricity from the renewable energy facility to the contract customer, including all costs to procure and deliver electricity and for billing, administrative, and related activities, as determined by the commission.
- (3) A qualified utility that enters a renewable energy contract shall charge a contract customer for all metered electric service delivered to the contract customer, including generation, transmission, and distribution service, at the qualified utility's applicable tariff rates, excluding:
 - (a) any kilowatt hours of electricity delivered from the renewable energy facility, based on the time of delivery, adjusted for transmission losses;
 - (b) any kilowatts of electricity delivered from the renewable energy facility that coincide with the contract customer's monthly metered kilowatt demand measurement, adjusted for transmission losses;
 - (c) any transmission and distribution service that the contract customer pays for under Subsection (1) or (2); and
 - (d) any transmission service that the contract customer provides under Subsection (2) to deliver generation from the renewable energy facility.

Enacted by Chapter 182, 2012 General Session