

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

NOTICE OF PROPOSED RULEMAKING**RM9-2025-01-E, IN THE MATTER OF 15 DCMR CHAPTER 9 – NET ENERGY METERING,**

1. The Public Service Commission of the District of Columbia (“Commission”), pursuant to its authority under D.C. Code §§ 2-505 and 34-802, hereby gives notice of its intent to amend Chapter 9 (Net Energy Metering) of Title 15 (Public Utilities and Cable Television) of the District of Columbia Municipal Regulations (“DCMR”), in not less than thirty (30) days after the publication of this Notice in the *District of Columbia Register*.

2. This Notice of Proposed Rulemaking (“NOPR”) is pursuant to Commission Order No. 21600, which directed Commission Staff to issue a Notice of Inquiry soliciting comments from interested persons on possible amendments to Commission regulations governing Community Renewable Energy Facilities (“CREFs”).¹ Specifically, the Notice of Inquiry requested that interested persons file comments addressing the following questions:

- (1) Should 15 DCMR § 907.9 be amended to address how unsubscribed energy payments are presented? If so, how?
- (2) Should 15 DCMR Chapter 9 be amended to address allocation reporting by Pepco to CREFs? If so, how?
- (3) Should 15 DCMR § 999 be amended to define “applicable billing period?” If so, how?
- (4) Should 15 DCMR § 907 be amended to address specific regulations for CREF billing errors similar to the regulations for addressing billing errors for residential customers in 15 DCMR §§ 304.16 - 304.21? If so, how?
- (5) Are there alternatives available to the requirement for a 22-digit service number for CREF subscriber enrollment? If so, what are they? Should 15 DCMR § 906.1 be amended? If so, how?
- (6) Should any other changes to Commission regulations be made to address CREF billing concerns? If so, how?²

3. Comments were filed on June 12, 2023, by Solar United Neighbors (“SUN”), the

¹ GD-2022-01-E, *In the Matter of the Complaint and Petition for an Investigation into Potomac Electric Power Company’s Community Renewable Energy Facility Practices* (“GD-2022-01-E”), and Formal Case No. 1171, *In the Matter of the Investigation into Community Renewable Energy Facility Practices in the District* (“Formal Case No. 1171”), Order No. 21600, ¶¶ 1, 18, 23, 24, 31, and 38, rel. April 24, 2023 (“Order No. 21600”).

² 70 D.C. Reg. 006993 (May 12, 2023).

Potomac Electric Power Company (“Pepco”), Chesapeake Solar and Storage Association (“CHESSA”), and jointly by the Office of the People’s Counsel (“OPC”) and the District of Columbia Government (“DCG”).³ Reply comments were later filed on June 26, 2023, by both Pepco and DCG.⁴

4. In addition to the NOI, Commission Order No. 22296 directed the parties of this proceeding to “meet and confer regarding the process that should be followed if Pepco, a CREF owner, SO, or a CREF subscriber, encounters issues related to meter reading or billing accuracy” and “develop a consensus proposal if possible.”⁵ This proposal was suggested to “include suggested amendments to the Commission’s regulations governing the CREF program.”⁶

5. After two extensions, the Working Group Report and Consensus Proposal (“Consensus Proposal”) were filed on January 13, 2025, containing both consensus recommendations for regulation changes as well as items on which the parties could not come to a consensus.⁷ The Consensus Proposal covered topics including how to address CREF meter reading issues, dispute resolution, and what data access agreement would be required in CREF interconnection procedures.⁸ On February 14, 2025, Pepco filed its Response to the non-consensus items in the Consensus Proposal.⁹ On March 5, 2025, OPC filed its own comments regarding the Consensus Proposal.¹⁰ On March 6, 2025, DCG filed a Reply to Pepco’s non-consensus item comments.¹¹ Pepco later filed a Motion for Leave to file a Response to OPC and DCG’s responses

³ *GD-2022-01-E and Formal Case No. 1171*, Solar United Neighbors’ Comments to the Commission’s May 12, 2023 Notice of Inquiry, filed June 12, 2023; Potomac Electric Power Company’s Comments on Notice of Inquiry, filed June 12, 2023; Comments from the Chesapeake Solar and Storage Association regarding the Public Service Commission of the District of Columbia’s Notice of Inquiry, filed June 12, 2023; and Joint Comments of the Office of the People’s Counsel for the District of Columbia and the District of Columbia Government in Response to the Notice of Inquiry Issued Pursuant to Order No. 21600, filed June 12, 2023.

⁴ *GD-2022-01-E and Formal Case No. 1171*, Reply Comments of Potomac Electric Power Company on Notice of Inquiry, filed June 26, 2023; and DCG Reply Comments Filed in Response to Comments Filed on the Notice of Inquiry Issued Pursuant to Commissioner Order No. 21600, filed June 26, 2023.

⁵ *GD-2022-01-E and Formal Case No. 1171*, Order No. 22296, ¶ 40, rel. September 12, 2024 (“Order No. 22296”).

⁶ *GD-2022-01-E and Formal Case No. 1171*, Order No. 22296, ¶ 40.

⁷ *GD-2022-01-E and Formal Case No. 1171*, Working Group Report Following Order No. 22296, filed January 13, 2025 (“Consensus Proposal”).

⁸ Consensus Proposal at 4-9; 14-18.

⁹ *GD-2022-01-E and Formal Case No. 1171*, Pepco’s Response to Non-Consensus Items From Final Working Group Report, filed February 14, 2025.

¹⁰ *GD-2022-01-E and Formal Case No. 1171*, The Office of the People’s Counsel for the District of Columbia’s Motion for Leave to File Comments Out-of-time and Comments Regarding the Working Group Report Following Order Nos. 22296 and 22350.

¹¹ *GD-2022-01-E and Formal Case No. 1171*, District of Columbia Government’s Response to Individual Proposals, filed March 6, 2025.

to Pepco's non-consensus items, along with said Response.¹² This NOPR incorporates rulemaking changes that account for both the NOI comments, matters discussed in and about the Consensus Proposal, and lessons learned throughout the *Formal Case No. 1171* proceeding. The NOPR also contains edits for clarity and grammatical consistency.

6. This Rulemaking amends several sections in Chapter 9 for greater clarity related to the regulation of CREFs and to remove language no longer applicable to the regulations as they are practiced today. For example, Subsections 901.2 and 907.4 are amended to clarify that CREFs are *not* customer generators and are not eligible for charges normally associated with net energy billing. Subsection 908.4 has been removed as the information included therein is now automatically processed through the Wholesale Market Settlement System. Similarly, 908.7(c) has been removed as the info required is now covered through Pepco's hosting maps. Subsection 908.7, now 908.6(b), has had certain requirements removed to prevent double reporting, as other sections of the Chapter already require that information to be submitted to the Commission. In addition, several extensive changes to the rules are proposed in this Rulemaking to ensure parity in perpetuity between CREF production meters and the automated aggregator meter-reading system¹³ that Pepco has employed pursuant to Order Nos. 21600, 21908, and others subsequent.¹⁴

7. A new Section 910 is proposed to direct the Electric Company to maintain a public "Approved CREF Production Meter List" ("ACPML") that contains all CREF meters currently compatible with its automated aggregator meter-reading system and dictates the procedures to be followed for the addition to and/or removal of any CREF meters from the list. The list is to be updated at least twice a year, though more frequent updates are encouraged. Additions to or removals from the list will be performed on a by-notice basis, with the notice of each change to be filed with the Commission in a special "CREF Docket". This "CREF Docket" will serve as the designated filing point for the majority of Notices and Reports required by this Chapter to prevent the inundation of other dockets like *Formal Case No. 1171*. A definition for "Approved CREF Production Meter List" is to be added in Section 999 for further clarity. With the addition of the new Section 910, the previous Section 910 (Waiver) has been moved to Section 998.

8. A new Subsection 904.3 has been added to codify the recommendations of Order No. 21908 and Consensus Proposal to allow both the lease and transfer of ownership of ACPML-compliant meters from the Electric Company to CREF owners or Subscriber Organizations.¹⁵

¹² *GD-2022-01-E* and *Formal Case No. 1171*, Pepco's Motion for Leave to File Response and Response of Potomac Electric Power Company to Responses of Office of People's Counsel and District of Columbia Government to Pepco's Non-consensus Items from 1171 Working Group Report, filed March 17, 2025.

¹³ The aggregated meter reading system was first proposed by Pepco in its July 10, 2023, Amended Motion for Enlargement of Time to remove Pepco-owned production meters from Community Renewable Energy Facilities in *Formal Case No. 1171*. It was proposed pursuant to Order No. 21600 as a "permanent solution" to ensure Pepco fulfills its obligation to properly read all CREF meters as mandated by D.C. Code § 34-1518(b)(5)(H). It works by "housing, aggregating, and sending data to Pepco from CREFs" in a form "integrated with Pepco's billing system," which is then "used to determine subscriber credits and unsubscribed energy payments."

¹⁴ Order No. 21600; *GD-2022-01-E* and *Formal Case No. 1171*, Order No. 21908, rel. September 28, 2023 ("Order No. 21908").

¹⁵ Order No. 21908 at ¶ 25; Consensus Proposal at 12.

Transfers of this nature have already been conducted successfully in this proceeding, and this subsection provides another path to compliance with D.C. Code § 34-1518(b)(5)(H) for both CREFs and the Electric Company.¹⁶

9. Subsections 906.1 and 906.8 are amended to ensure that the CREF-specific Addendum to Pepco's Interconnection Agreement is updated to require the use of ACPML-compliant meters as well as include information regarding CREF data access and meter-reading procedures. This updated Addendum will be submitted to the Commission for approval before being applied to all CREFs, whether currently interconnected or seeking prospective interconnection. The requirement also incentivizes any CREFs currently operating without compatible meters to switch to those that the Electric Company can read with its automated aggregator meter-reading system, by allowing the Electric Company to credit said CREFs 0 kWh for the purposes of unsubscribed energy payments, should it not receive a signed copy of the updated interconnection agreement and Addendum from the CREF within the grace period identified.¹⁷ Should a CREF not cooperate, its subscribers will not be penalized, instead receiving credits based on a PV WattsTM estimate. A definition for PV WattsTM has been included in Section 999 for clarity. Subsection 908.1 has been updated accordingly to require the make and model of the production meter that a CREF proposes to install on its registration form. A similar update is proposed for Subsection 908.4 that requires any new proposed manual for the implementation of the Community Renewable Energy Amendment Act of 2013 ("CREA")¹⁸ to be submitted to the Commission for docketing and approval.

10. Subsection 907.9 is amended to require the SOS Administrator (currently Pepco) to provide a Payment Statement to the CREF Subscriber Organization when it purchases unsubscribed energy that shall contain certain information about the unsubscribed energy payment and the calculations behind it. A definition for "Payment Statement" is also proposed in Section 999.

11. A new Subsection 907.12 is proposed that mandates a semi-annual Allocation Report, requiring information on CREF subscribers both on an individual subscriber level and a CREF-wide basis. The Allocation Report must be in a machine-readable, electronic format to allow CREF Subscriber Organizations to better track CREF credit production in a convenient and efficient manner. A proposed definition for "Allocation Report" is also added in Section 999 for additional clarity and convenience. Both the Allocation Report and the Aforementioned Payment Statement are to be filed in the designated "CREF Docket". Should a CREF's meter become unreadable by the Electric Company, a new Subsection 907.13 will provide that CREF with an opportunity to show that the unreadability was not the fault of the CREF. If the appropriate elements are shown by the CREF, they will be entitled to back-credits under Subsection 907.13(c);

¹⁶ *GD-2022-01-E and Formal Case No. 1171*, January 11, 2024, Fourth Formal Case No. 1171 Technical Conference Minutes, filed January 19, 2024, at 1.

¹⁷ According to Pepco's August 14, 2025, Biweekly Report in *Formal Case No. 1171*, 31 CREFs are using PV Watts Estimates, rather than generation readings.

¹⁸ D.C. Law 20-0047 (December 13, 2013).

otherwise, the Electric Company will be permitted to credit for 0 kWh for unsubscribed energy payments, and subscribers of the CREF will be switched to PV Watts™ estimates until the readability issue is resolved, as recommended in the Consensus Proposal.¹⁹ The Electric Company shall be permitted to conduct a true-up once the unreadability is resolved.

12. Finally, to address Question 3 of the Notice of Inquiry, a definition of “Applicable Billing Period” has been added to Section 999. The proposed definition closes the gap between CREF generation crediting and meter reading, ensuring that Pepco credits CREFs in the same billing cycle that those credits are generated, reducing confusion and complication. An amendment is proposed to the definition of “Community Net Metering” in Section 999 to better align with D.C. Code § 34-1518.01(b) and § 34-1501(9A).

The proposed modifications to Sections 901, 904, 906, 907, 908, 910, 998, and 999 are shown by underline and the deletions by ~~strikethrough~~.

Chapter 9, NET ENERGY METERING, of Title 15 DCMR, PUBLIC UTILITIES AND CABLE TELEVISION, is amended as follows:

Section 901, ELIGIBLE CUSTOMER-GENERATORS, is amended as follows:

...

901.2 For the purpose of net metering throughout this chapter, eligible customer-generators with net energy metering are allowed a to incrementally increase its generation threshold, when filing a new or amended interconnection application, of beyond one-two hundred percent (2100%) of the customer historical twelve (12)-month usage annually. as Follows: The option for an increase in the generation threshold is not applicable to CREF organizations.

(a) — Allowable Generation Threshold Schedule:

- (1) — 120% in 2020**
- (2) — 140% in 2021,**
- (3) — 160% in 2022,**
- (4) — 180% in 2023, and**
- (5) — 200% in 2024.**

(b) — On or before October 1, 2021, and each October 1 thereafter, if the Electric Company identifies a reliability, safety, or cost impact on the electric distribution system caused by the implementation of the Generation Threshold Schedule in Subsection (a), the Electric Company may request suspension of the increase in the following year. The Electric Company’s filing should identify the specific reliability, safety, and cost impacts identified and provide a timeline for developing a plan to address those impacts. Absent such a request, the

¹⁹ Consensus Proposal at 17.

~~increase will take place automatically on January 1 each year. The allowable generation threshold for 2020 will become effective upon publication of these final rule amendments in the D.C. Register.~~

Section 904, NET METERING-RELATED EQUIPMENT, is amended as follows:

...

904.3 Nothing in this section shall prohibit the Electric Company from entering into an agreement with a Community Renewable Energy Facility Owner or Subscriber Organization to lease or transfer ownership of an Approved CREF Production Meter List-compliant meter (see Section 910) from the Electric Company to the Facility Owner or Subscriber Organization.

Section 906, COMMUNITY RENEWABLE ENERGY FACILITIES, is amended as follows:

906.1 A CREF:

- (a) ~~S~~shall be interconnected with the Electric Company's distribution system and shall execute an Interconnection Agreement and a standard Commission-approved CREF Addendum with the Electric Company;
- (b) ~~M~~may be built, owned or operated by a third party under contract with a Subscriber Organization;
- (c) ~~M~~may add capacity and Subscribers to its facility if the added capacity and Subscribers do not reduce the electrical production benefit to existing Subscribers or cause the CREF to exceed five ~~(5)~~ megawatts (5 MW) in capacity; and
- (d) ~~M~~may update its Subscribers no more frequently than once per quarter, by providing the following information about its Subscribers to the Electric Company:
 - (~~i~~1) ~~N~~ame, address, and account number of each Subscriber; and
 - (~~ii~~2) ~~T~~he percentage interest of each Subscriber in the capacity of the CREF.
- (e) Under no circumstances shall a CREF sell Subscriptions totaling more than one hundred percent (100%) of its energy generation.

...

906.6 The Electric Company shall be responsible for ensuring that public safety and system reliability ~~is~~are maintained, including during the interconnection and disconnection of a CREF.

...

906.8 ~~Within thirty (30) days of this rulemaking, the~~ Electric Company shall ~~create and submit to the Commission for approval, any proposed~~ a separate CREF Tariff with terms and conditions related to CREFs, ~~including but not limited to establishing and monitoring the annual level of a Subscriber's CNM credits, and applying CNM credits to the billing accounts of Subscribers. The Electric Company shall also create and submit to the Commission~~ CREF Addendum to the existing CREF Interconnection Agreement that sets out the additional terms and conditions related to the interconnection of a CREF Subscriber Organization and the Electric Company, including but not limited to the procedures for the installation, reading, inspection of the interval production meter, and the suspension or disconnection of operations when a Subscriber Organization has less than two (2) Subscribers. The standard Addendum shall also include a requirement that the CREF use a CREF Production Meter on the Approved CREF Production Meter List ("ACPML"). Upon Commission approval, the new CREF Addendum shall be applicable to every CREF interconnected to, or seeking interconnection to, the Electric Distribution System.

(a) Within thirty (30) days of Commission approval, the Electric Company shall serve its Interconnection Agreement, with the standard CREF Addendum attached, to all CREFs previously given Authorization to Interconnect for signature.

(1) Should the Electric Company, after sixty (60) days of serving the updated CREF Interconnection Agreement and Addendum, not receive a signed copy of the Agreement and Addendum from a CREF, the Electric Company and the SOS Administrator shall then be permitted to credit the 0 KWh for the purposes of unsubscribed energy payments until a signed Agreement and Addendum is received. The subscribers of any such CREF that did not send a signed copy of the Agreement and Addendum shall continue to be credited based on either actual generation data, if utilizing a meter readable by the Electric Company, or by utilizing PV Watts™ estimates for generation. The Electric Company shall update the Commission on a monthly basis until all CREFs have signed the agreement.

(2) After a signed Agreement and Addendum is received by the Electric Company, unsubscribed energy payments shall be retroactively issued for up to a sixty (60) day period from the date of receipt.

Section 907, BILLING AND CREDITING FOR COMMUNITY NET METERING CUSTOMERS, is amended as follows:

...

907.4 The amount of electricity generated by a CREF each month and available for purchase as subscribed or unsubscribed energy shall be determined by a revenue quality interval meter (production meter) installed and paid for by the Subscriber Organization. The interval meter shall be capable of recording energy production based on intervals of at least five minutes. After installation of the interval meter, it shall be the Electric Company's responsibility to determine that the revenue quality interval meter has been properly installed, in accordance with industry standards. It shall also be the responsibility of the Electric Company to read the revenue quality interval meter. In no event shall ~~the electricity generated by a CREF~~ or CREF Subscriber Organization be eligible for net energy billing for the CREF facility. This includes, but is not limited to, charges normally associated with net energy billing, such as distribution charges and electric supply charges.

...

907.9 Any unsubscribed energy purchased by the SOS Administrator pursuant to Subsection 906.4 will be paid to the CREF Subscriber Organization on a monthly basis.

- (a) At the time of payment, the SOS Administrator shall provide a Payment Statement to the CREF Subscriber organization that contains the following information:
- (1) The amount paid, both total and per kWh;
 - (2) The time period covered by the payment;
 - (3) A calculation of unsubscribed energy generated during the time period covered by the payment; and
 - (4) A calculation of unsubscribed energy payments for the time period covered by the payment.
- (b) The SOS Administrator shall file a copy of each Payment Statement with the Commission to the CREF Docket.
- (c) Should the SOS Administrator not have the information required by 907.9(a), the Electric Company shall provide the required information upon request by the SOS Administrator.

...

907.12

Within thirty (30) days of the end of the second and fourth quarter of each year, the Electric Company shall provide the CREF Subscriber Organization and the Commission with an Allocation Report in a machine-readable electronic format that can automatically integrate with the Subscriber Organizations' applications for tracking CREF production. Allocation Reports submitted to the Commission shall be filed in the CREF Docket. The Allocation Report shall provide:

(a) The following information for each Subscriber associated with the CREF from the same source that is used to allocate Community Net Metering ("CNM") for each Subscriber on their bill:

- (1) Customer address;**
- (2) Subscriber's current status (active or dropped);**
- (3) Account number;**
- (4) Date the Subscriber last received credits;**
- (5) CREF subscription percentage;**
- (6) All other CREF subscriptions;**
- (7) Billing month of the year;**
- (8) CREF Subscriber Credit Rate;**
- (9) Monthly bill credit amount;**
- (10) Excess credits from previous billing periods and true-ups pursuant to Section 907.13 applied to current bill;**
- (11) Carry-over credits applied to subsequent bills;**
- (12) Credits deducted from bills due to true-ups pursuant to Section 907.13; and**

(b) The following CREF-wide aggregate information:

- (1) CREF name;**
- (2) Contract account;**

- (3) Subscriber organization;
- (4) Meter number;
- (5) Start date of the generation period;
- (6) End date of the generation period;
- (7) Most recent date Subscribers were added to CREF;
- (8) Total Subscribers added in the generation period;
- (9) Most recent date Subscribers were dropped from CREF;
- (10) Net Subscribers added or removed in the generation period; and
- (11) Excess unsubscribed generation.

907.13 Within five (5) days of discovering it is unable to read and/or receive data from a specific CREF, the Electric Company shall notify the CREF of this issue. This notice shall also be filed to the CREF Docket contemporaneously.

- (a) The CREF may, within thirty (30) days of notification by the Electric Company of its inability to read the CREF's meter, respond to the Electric Company with the following information:
 - (1) Proof that the CREF was using a meter that was on the Approved CREF Production Meter List with the appropriate firmware during the period of no-reading (see Section 910 of this chapter);
 - (2) Proof that the CREF's production meter was functioning correctly during the period of no-reading; and
 - (3) Actual positive generation data during the period of no-reading is sourced from a meter reading or determined through the installed solar inverter.
- (b) Should the Electric Company not receive a response from the CREF pursuant to Subsection 907.13(a), the Supplier Administrator may pay any unsubscribed energy for 0 KWH for the period of no-reading and subsequently until the CREF Meter is able to be read by the Electric Company, following a further Notice given to the affected CREF and filed with the Commission in the CREF Docket.

- i. During a period of zero generation, CREF subscribers are to be credited according to monthly PV WattsTM estimates until such time as the meter can again be read by the Electric Company.
 - ii. Once the Electric Company confirms it is capable of reading the CREF meter, and if meter data for a period of zero generation credit is available, the Electric Company shall true-up the PV WattsTM data against the actual CREF meter data and apply the delta to the credits for the subsequent billing period.
- (c) Should the Electric Company receive a response from the CREF pursuant to Subsection 907.13(a), it shall credit the CREF appropriately based on the actual generation numbers provided pursuant to Subsection 907.13(a)(3) no later than the end of the subsequent billing cycle. The Electric Company shall file a Confidential Notice of this crediting with the Commission in the CREF Docket, stating the generation and monetary amount that was credited. The SOS Administrator shall also provide a payment for any unsubscribed energy amounts. A similar adjustment shall be made in Pepco's wholesale market settlement system.
- (d) The Electric Company shall make reasonable efforts to remain in contact with any CREFs with unreadable meters.

Section 908, REPORTING AND CONTRACTUAL REQUIREMENTS FOR COMMUNITY RENEWABLE ENERGY FACILITIES, is amended as follows:

908.1 Each CREF shall register with the Electric Company. ~~The Electric Company shall develop a Registration Form within thirty (30) days of these rules becoming final.~~ The Registration Form shall include:

- (a) Name of Subscriber Organization;
- (b) Address of CREF;
- (c) ~~City~~ District of Columbia Ward where the CREF is located;
- (d) Generating technology used by the CREF;
- (e) Name Plate AC generating capacity of the CREF;
- (f) Make and Model of meter used to measure the CREF's generation for the purposes of accreditation;

- (g) ~~(6)~~ Copy of Interconnection Agreement between the CREF and the Electric Company, when obtained and executed;
- (h) ~~(7)~~ Type of Organization that owns the CREF (if a for-profit making entity, a copy of the current District of Columbia Business License); and
- (i) ~~(8)~~ Monthly List of CREF Subscribers, if available, including:
 - (1) Name of address and Subscriber;
 - (2) Address of the individual billing meter in the District of Columbia to which the CNM Credit will be applied;
 - (3) Electric Company Account number; and
 - (4) Percentage ownership in the CREF.

...

908.4

~~Within forty-five (45) days of this rulemaking, the Electric Company shall submit to the Commission, for the Commission's approval, a procedural manual, including related sample documents where appropriate, for the implementation of the CREA that shall include, but not be limited to:~~

- ~~(1) The arrangement between the Electric Company, the SOS Administrator and the CREF related to the SOS Administrator taking title to CREF output at the point of common connection between the CREF and the Electric Company's distribution grid;~~
- ~~(2) The arrangement between the Electric Company, the SOS Administrator and the CREF relating to the SOS Administrator's purchase of, and payment for, unsubscribed energy from the CREF at the price specified in these rules;~~
- ~~(3) The arrangement between Electric Company, the SOS Administrator and the CREF for the Electric Company to create the CNM Credit based on CREF output and the price specified in the rules;~~
- ~~(4) The arrangement between the Electric Company and the CREF to credit individual CREF Subscribers with the CNM Credit based on each Subscriber's ownership share in the CREF and the CREF's monthly output, and to modify the list of Subscribers and the amount of each Subscriber's Subscription; and~~
- ~~(5) The arrangement between the Electric Company and Competitive Electricity Suppliers to reflect the payments of the energy supply~~

~~charges for CES customers who are also CREF Ssubscribers.~~

- 908.54 ~~Within one hundred twenty (120) days of the issuance of the final rulemaking,~~
The Electric Company shall add a CREA page to its website with links to the procedural manual and the forms referenced therein.
- 908.65 ~~Within thirty (30) days of this rulemaking,~~ The Electric Company shall submit to the Commission for its approval the form of the line item on the Electric Company's bill for a Subscriber's CNM Credit.
- 908.76 Within ~~twenty (20)~~ thirty (30) days of the end of the second and fourth quarter of each year the Electric Company shall submit to the Commission a report that provides:
- (a) ~~(1)~~ An overview of the CREFs operating in the District of Columbia, including summary statistics as to the number of CREFs, the number of Subscribers, and the amount of electric supply being generated;
 - (b) ~~(2)~~ A listing of each CREF, including:
 - ~~(1) — (a) Name and location (including zip code and Ward) of CREF,~~
 - ~~(2) — (b) Name of Subscriber Organization,~~
 - ~~(3) — (c) Type of Subscriber Organization,~~
 - ~~(4) — (d) Type of generating technology used by the CREF,~~
 - ~~(5) — (e) Name Plate AC generating capacity of the CREF,~~
 - ~~(6) — (f) Monthly CREF output as measure by production meter,~~
 - ~~(7) — (g) Number of CREF Subscribers,~~
 - (1) ~~(h)~~ Any problems created by CREFs to the distribution system that are of concern to the Electric Company, with as much specificity as possible and quantified to the extent possible, including the nature, extent, and location of the problem(s), and
 - (2) ~~(i)~~ To the extent possible, the benefits to the distribution system from CREFs, including use of CREFs to supply ancillary services including, but not limited to, voltage support, volt-ampere reactive (VAR) support, and frequency regulation.
 - ~~(3) The identification of any feeder that approaches a net energy export within a ten percent (10%) margin (i.e., a feeder where the total production from CREF and other net metering facilities is ninety percent (90%) or more of the total energy consumption for the feeder).~~

908.87 Any net costs for the implementation of Community Net Metering incurred by the Electric Company that are approved by the Commission shall be recovered solely through a rate assessment on Subscribers in a base rate case, pursuant to Section 122 of the amended Retail Electric Competition and Consumer Protection Act of 1999.

Section 910, WAIVER, is moved to Section 998 and amended to read as follows:

998 WAIVER

998.1 The Commission may, upon request, or on its own initiative after ~~N~~notice to the parties **and other interested persons** of its intention **to** do so, waive any provision of this chapter for good cause.

A new Section 910, APPROVED CREF PRODUCTION METER LIST, is added as follows:

910.1 The Electric Company shall maintain a publicly available “Approved CREF Production Meter List” (“ACPML”) that the Electric Company may update to add and/or remove meters from upon Notice as specified in Subsections 910.4 or 910.5.

910.2 The Electric Company shall maintain a reasonably broad selection of meter types on the ACPML.

910.3 At a minimum, the Electric Company shall update the ACPML on a biannual basis, while accounting for proposals from CREF owners and Subscriber Organizations for additions to the list.

910.4 At least sixty (60) days prior to the removal of a specific meter(s) from the ACPML, the Electric Company shall file a Notice with the Commission in the CREF Docket. The Notice of Removal shall contain the following information:

- (a) The CREF Production Meter(s) to be removed;**
- (b) A list of CREFs to be affected by the removal;**
- (c) The proposed date that the CREF Production Meter(s) will be removed; and**
- (d) An explanation as to why the CREF Production Meter(s) are being removed from the ACPML.**

910.5 At least sixty (60) days prior to the addition of a specific meter(s) to the ACPML, the Electric Company shall file a Notice with the Commission in the CREF Docket. The Notice of Addition shall contain the following information:

- (a) The CREF Production Meter(s) to be added; and
- (b) The proposed date that the CREF Production Meter(s) will be added.

Section 999, DEFINITIONS, is amended to include the definitions as follows:

999.1 When used in this chapter; the following terms and phrases shall have the following meaning:

“Allocation Report” – a semi-annual report for each CREF that lists current CREF allocation information for each Subscriber associated with that CREF and CREF-wide aggregate information. The report shall include both information for each Subscriber associated with the CREF from the same source that is used to allocate CNM for each Subscriber on their bill, as well as CREF-wide aggregate information including, but not limited to, Customer Address and status, account number, meter number, billing and generation periods, and total number of Subscribers added or dropped.

“Applicable Billing Period” - a period of time in which:

- (a) The Electric Company credits a Subscriber’s bill for the monetary value of the electric energy generated by a Community Renewable Energy Facility during that period of time; and
- (b) The credits offset electric energy charges accrued by the Subscriber during that same period of time.

“Approved CREF Production Meter List” – a publicly available list of meters used to measure generation from Community Renewable Energy Facilities for crediting purposes that both meet the requirements of D.C. Code §§ 34-1518(H) and provide usable data to the Electric Distribution Company in a form compatible with its meter-reading system.

...

“Community Net Metering” or “CNM” - means a billing arrangement under which the monetary value of electric energy generated by a Community Renewable Energy Facility and delivered to the Electric Company’s local distribution facilities is used to offset electric energy charges accrued during a Subscriber’s Applicable Billing Period. ~~create a billing credit for CREF Subscribers.~~

...

“Payment Statement” – A report submitted, along with payment, to a CREF Subscriber Organization by the SOS Administrator if and when the SOS Administrator purchased unsubscribed energy from a CREF Subscriber Organization pursuant to Subsection 906.4 of this chapter that details the facts of, and calculations behind, the unsubscribed energy payment(s), including those added or deducted pursuant to a true-up from a previous billing cycle.

PV Watts™ – A calculator devised by the National Renewable Energy Laboratory of the U.S. Department of Energy that estimates the energy production of grid-connected photovoltaic energy systems accounting for factors such as location, system size, azimuth, and tilt.

...

“Subscriber Organization” - means any individual, for-profit entity, nonprofit entity, or government entity, permitted by District of Columbia law, that owns or operates one or more CREFs, or through a third-party agreement with a CREF owner or operator assigns CREF generation for the benefit of the Subscribers.

13. Any person interested in commenting on the subject matter of this proposed rulemaking action may submit written comments not later than thirty (30) days after publication of this notice in the *District of Columbia Register* addressed to Brinda Westbrook-Sedgwick, Commission Secretary, Public Service Commission of the District of Columbia, 1325 G Street, N.W., Suite 800, Washington, D.C. 20005 and sent electronically on the Commission’s website at https://edocket.dcpsec.org/public/public_comments. Copies of the proposed rules may be obtained by visiting the Commission’s website at www.dcpsec.org or at cost, by contacting the Commission Secretary at the address provided above. Persons with questions concerning this NOPR should call (202) 626-5150 or send an email to psc-commissionsecretary@dc.gov.

A TRUE COPY:

BY DIRECTION OF THE COMMISSION:

Brinda Westbrook-Sedgwick

CHIEF CLERK:

BRINDA WESTBROOK-SEDGWICK
COMMISSION SECRETARY