

(H. B. 2284)

(No. 12-2011)

(Approved February 18, 2011)

AN ACT

To amend Section 7 of Act No. 114 of August 16, 2007, as amended, in order to provide that the Electric Power Authority shall include a message in the electric bill sent to customers regarding the benefits of installing equipment to generate energy from renewable sources; and for other related purposes.

STATEMENT OF MOTIVES

Act No. 114 of August 16, 2007, directed the Puerto Rico Electric Power Authority (PREPA) to establish a net metering program to provide customers who have installed renewable energy generating equipment with interconnection to and electricity feed back from the Authority's power transmission and distribution system. Thus, people who invest money in the acquisition of equipment to generate energy from these alternative sources could meet their own energy consumption needs and benefit from a credit in their bill for the excess energy produced by such equipment. Allowing citizens to interconnect alternative and/or renewable energy systems and benefit from a credit for the energy produced in excess and injected into PREPA's electrical system encourages electric power generation in Puerto Rico from sources that do not require the burning of oil, thus helping to reduce the cost of electricity that affects both the Island's economic development and quality of life.

Act No. 114-2007, *supra*, provides specific requirements in order to take advantage of such renewable energy incentive. Moreover, Section 4 specifically provides that PREPA shall not establish additional requirements to those provided in Section 2 either by regulation or by any other means.

After its approval, Act No. 114-2007, *supra*, was amended by Act No. 211 of August 9, 2008, which repealed the provision requiring the installation to be performed by a person certified by the “North American Board of Certified Energy Practitioners” (NABCEP), and set forth that such installation must be performed by an expert electrician or an engineer both duly licensed to practice his/her profession in Puerto Rico and who have satisfactorily approved the continuing education courses on these type of installations offered by their respective Associations. In fact, Act No. 114-2007, *supra*, provides that, once the equipment is installed, the installation of the net meter to register the flow of energy in two directions and the connection to PREPA’s transmission and distribution system shall be performed by an expert electrician at the customer’s expense. Furthermore, PREPA may install meters at its own expense to monitor and verify the correctness of such installation.

Due to the importance of net metering in reducing the cost of electricity in Puerto Rico and the dependence on fossil fuels to generate electric power, this Legislative Assembly directed PREPA and the Energy Affairs Administration, under Section 7 of Act No. 114-2007, *supra*, to develop and implement educational campaigns to inform consumers of the benefits of net metering and the different technologies available in the market for renewable energy generation. Also, Section 8 of Act No. 114-2007, *supra*, requires PREPA to file semiannual reports with the Legislative Assembly regarding the progress of the net metering program.

PREPA has failed to file the semiannual reports required by law with the Legislative Assembly.

With the approval of this measure, PREPA shall include in the electric bill sent to customers a message about the benefits of installing renewable energy generating equipment and registering in the net metering program.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF PUERTO RICO:

Section 1.- Section 7 of Act No. 114 of August 16, 2007, is hereby amended to read as follows:

“Section 7.- Regulations and Education.-

The Electric Power Authority and the Energy Affairs Administration are hereby authorized to jointly adopt the necessary regulations for the faithful compliance with this Act. Likewise, they shall also regularly develop and implement educational campaigns directed to informing consumers of the benefits of net metering and of the different technologies available in the market for the generation of energy from renewable sources.

In addition to these educational campaigns, the Electric Power Authority shall incorporate the following message in the bill sent to customers:

The installation of equipment to generate energy from renewable sources may help to reduce your electric bill, and PREPA, through its commercial office or the Internet, shall provide you with information on how to enroll/you can enroll in this program. Furthermore, tax benefits are available to incentivize the purchase of these equipments. Addition information about this equipment is available at the Energy Affairs Administration.

The electric bill shall include this message at least two inches from where the total amount of the bill appears, and shall be written in a font which is the same size as the largest font used in any text appearing in the bill.

Regulations shall be promulgated not later than twelve (12) months after the approval of this Act.

Section 2.- The Electric Power Authority and the Energy Affairs Administration shall have ninety (90) days as of the approval of this Act to make amendments to their corresponding regulations as authorized in Section 7 of Act No. 114 of August 16, 2007, as amended.

Section 3.- This Act shall take effect ninety (90) days after its approval, except for Section 2, which shall take effect immediately after its approval.

CERTIFICATION

I hereby certify to the Secretary of State that the following **Act No. 12-2011 (H. B. 2284)** of the **5th Session of the 16th Legislature** of Puerto Rico:

AN ACT to amend Section 7 of Act No. 114 of August 16, 2007, as amended, in order to provide that the Electric Power Authority shall include a message in the electric bill sent to customers regarding the benefits of installing equipment to generate energy from renewable sources; and for other related purposes.

has been translated from Spanish to English and that the English version is correct.

In San Juan, Puerto Rico, on this 17th day of January, 2014.

Juan Luis Martínez Martínez
Acting Director