



NARUC
National Association of Regulatory
Utility Commissioners

For Immediate Release:

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NARUC Scores Victory in Unanimous Net Metering Decision

WASHINGTON (July 16, 2020) — The Federal Energy Regulatory Commission today ruled unanimously in favor of the National Association of Regulatory Utility Commissioners protest opposing the New England Ratepayers Association net energy metering petition.

FERC dismissed the petition because NERA failed to cite any specific harms or controversies that should be addressed by the Commission. This was a key argument raised by NARUC in its protest, filed last month.

NERA had asserted that there is exclusive federal jurisdiction over energy sales from generation sources located on the customer side of the retail meter, and that the rates for such sales be priced in accordance with federal law.

NARUC, however, firmly posited that NERA's assertion is contrary to current law and policy, which place these programs under state authority and such changes to those legal precedents and policies could potentially disrupt the system and cause detrimental effects on retail customers and state and federal policy makers, who have relied for decades on FERC's determination that net energy metering falls within the jurisdiction of state retail ratemaking. Although the dismissal does not decide the issues on their merits, it does halt this particular assault on state jurisdiction.

"This decision is a victory for state regulators and for anyone with a vested interest in net metering policy. We applaud FERC's decision, as the Commission clearly sees that NERA filed a baseless petition without regard for existing state and federal statutes," said Mississippi Commissioner and NARUC President Brandon Presley. "The timing of this decision is also excellent, as NARUC and our members can prepare for next week's national policy summit knowing that we have been able to uphold a core principle of state utility regulation. I am grateful for the work of NARUC staff and members of the National Regulatory Research Institute, as well as the state commissions, citizens and other groups who filed oppositions to NERA."

NARUC's protest, filed on June 15, 2020, is located at bit.ly/2MZUdcT.

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About NARUC

NARUC is a non-profit organization founded in 1889 whose members include the governmental agencies that are engaged in the regulation of utilities and carriers in the fifty states, the District of Columbia, Puerto Rico and the Virgin Islands. NARUC's member agencies regulate telecommunications, energy, and water utilities. NARUC represents the interests of state public utility commissions before the three branches of the federal government.