



**GPA Resolution No. FY2023-35**

**RELATIVE TO THE REVIEW OF 12 GCA §8502(c)(2)(B) REGARDING NET METERING**

**WHEREAS**, Guam Public Law 27-132 (December 2004) created Net Energy Metering (NEM) for Guam and assigned the Guam Public Utilities Commission (GPUC) the responsibility for setting the Net Metering Rate for excess renewable energy fed into GPA’s Distribution System; and

**WHEREAS**, the GPUC is required to approve rules and regulations for the Net Metering Program, including the implementation of Net Metering Program Interconnection Policies; and

**WHEREAS**, the net metering generating capacity is limited to 25 kilowatts for GPA residential class customers, 100 kilowatts for non-residential class customers, and no limit for solar energy systems benefitting public school customers so long as there is no demonstrated adverse impact on GPA’s system and does not exceed 80% of GPA’s current billing charges<sup>1</sup>; and

**WHEREAS**, the current GPA Net Metering Policy, established in December 2008<sup>2</sup> provides that GPA will make the net metering rider available to all customers without limitations until the number of Customer-Generator installations exceeds 1,000 customers; and

**WHEREAS**, as of March 2023, there are 2,496 NEM customer totaling 32,094 kilowatts of customer-generated energy; and

**WHEREAS**, NEM customers receive a full rate credit for all energy they export into the GPA grid and avoid paying their share of costs associated with the islandwide power system operation, maintenance, debt, and capital investment, amounting to approximately \$5.2 million of annual operating costs which is subsidized by non-NEM customers; and

**WHEREAS**, as of March 2023, there are 2,496 NEM customer totaling 32,094 kilowatts of customer-generated energy; and

**WHEREAS**, in October 2018, GPA petitioned the GPUC for modification of current Net Metering Rider from providing retail rate for net metering credits to avoided cost for net metering credits; and

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<sup>1</sup> 12 GCA §8502(c)(2).

<sup>2</sup> GPUC GPA Docket 08-10.

1           **WHEREAS**, in March 2020, as a result of recommendations of the Joint Renewable Integration  
2 Study (JRIS) with the U.S. Navy, GPA petitioned<sup>3</sup> the GPUC to create a new Energy Storage Rate Schedule  
3 to which new Net Energy Metering (NEM) customers may elect to pay instead of using a Frequency Control  
4 Capability or an Energy Storage System (ESS) with the installation of a new solar PV or wind turbine  
5 system; and

6           **WHEREAS**, in May 2020, GPA petitioned<sup>4</sup> the GPUC to amend the Net Metering Tariff such that all  
7 NEM excess credits are zeroed out annually; and

8           **WHEREAS**, GPA regularly renews its recommendation that the GPUC revise the current Net  
9 Metering Program to ensure the fair allocation of cost responsibilities among NEM and non-NEM  
10 customers, address intermittency, storage and interconnection issues, and incorporate new renewable  
11 energy programs such as the Virtual Power Plant program; and

12           **WHEREAS**, *Liheslaturan Guåhan* has introduced several proposed bills to amend the Net Metering  
13 Program that are likely to negatively impact the islandwide power grid and rates; and

14           **WHEREAS**, an immediate and earnest review of the current Net Metering rules and regulations,  
15 and the resulting changes are in the best interest of GPA and its ratepayers.

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<sup>3</sup> GPUC denied GPA Docket No. 20-09, *Petition for Creation of New Energy Storage Rate*, reference CCU Resolution No. 2020-01, *Authorizing Management to Require All Future Utility-Scale and Net Metering Solar Photovoltaic (PV) and Wind Turbine Systems To Have Frequency Control Capability Or Energy Storage System (ESS) In Order To Be Tied Into The Island Power Grid*.

<sup>4</sup> GPUC approved GPA Docket No. 20-06, *Petition to Amend Guam Power Authority's Net Metering Rider*; reference CCU Resolution No.

1           **NOW, THEREFORE, BE IT RESOLVED**, by the Consolidated Commission on Utilities, as  
2 follows:

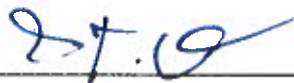
- 3           1. The General Manager of GPA is hereby authorized to petition the PUC for review and  
4 update of the Net Metering program, as codified in Title 12, Guam Code Annotated,  
5 Article 5; technical and financial impact studies; and recent proposed or passed  
6 legislation which may affect the NEM program.  
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8           **RESOLVED**, that the Chairman certifies and the Secretary attests to the adoption of this  
9 Resolution.  
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11           **DULY AND REGULARLY ADOPTED AND APPROVED THIS 27th Day of September 2023.**

12 Certified by:

Attested by:

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16 JOSEPH T. DUENAS  
17 Chairman  
18 Consolidated Commission on Utilities  
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PEDRO ROY MARTINEZ  
Secretary  
Consolidated Commission on Utilities

20           I, Pedro Roy Martinez, Secretary for the Consolidated Commission on Utilities (CCU), as evidenced  
21 by my signature above do certify as follows:

22           The foregoing is a full, true, and accurate copy of the resolution duly adopted at a regular meeting  
23 of the members of Guam Consolidated Commission on Utilities, duly and legally held at a place  
24 properly noticed and advertised at which meeting a quorum was present and the members who were  
25 present voted as follows:

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27           Ayes:           5  
28           Nays:           0  
29           Abstain:        0  
30           Absent:         0

