

## Chapter 407

(Senate Bill 717)

AN ACT concerning

### **Renewable Energy Portfolio Standard – Renewable Energy Credits – Solar Water Heating Systems**

FOR the purpose of providing that energy from a certain solar water heating system is eligible for inclusion in meeting the renewable energy portfolio standard; providing that a person that owns and operates a certain solar water heating system shall receive a certain renewable energy credit under certain circumstances; requiring the total amount of energy generated and consumed by a nonresidential or commercial solar water heating system to be measured by a certain meter; requiring the total amount of energy generated and consumed by a residential solar water heating system to be measured in a certain way; prohibiting a residential solar water heating system from producing more than a certain number of solar renewable energy credits in any one year; defining a certain term; altering a certain definition; requiring that certain solar water heating systems be installed in accordance with applicable State and local plumbing codes; providing for the application of this Act; providing for a delayed effective date; and generally relating to the eligibility of solar water heating systems for inclusion in meeting the renewable energy portfolio standard.

BY repealing and reenacting, without amendments,

Article – Public Utilities  
Section 7–701(a)  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY adding to

Article – Public Utilities  
Section 7–701(k–1) and 7–704(g)  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Public Utilities  
Section 7–701(l)  
Annotated Code of Maryland  
(2010 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

**Article – Public Utilities**

7-701.

(a) In this subtitle the following words have the meanings indicated.

**(K-1) (1) “SOLAR WATER HEATING SYSTEM” MEANS A SYSTEM THAT:**

**(I) IS COMPRISED OF GLAZED LIQUID-TYPE FLAT-PLATE OR TUBULAR SOLAR COLLECTORS AS DEFINED AND CERTIFIED ~~AS TO THE OG-100 BY STANDARD OF THE SOLAR RATINGS AND CERTIFICATION CORPORATION~~ SOLAR RATINGS AND CERTIFICATION CORPORATION;**

**(II) GENERATES ENERGY USING SOLAR RADIATION FOR THE PURPOSE OF HEATING WATER; AND**

**(III) DOES NOT FEED ELECTRICITY BACK TO THE ELECTRIC GRID.**

**(2) “SOLAR WATER HEATING SYSTEM” DOES NOT INCLUDE A SYSTEM THAT GENERATES ENERGY USING SOLAR RADIATION FOR THE SOLE PURPOSE OF HEATING A HOT TUB OR SWIMMING POOL.**

(1) “Tier 1 renewable source” means one or more of the following types of energy sources:

(1) solar ENERGY, INCLUDING ENERGY FROM PHOTOVOLTAIC TECHNOLOGIES AND SOLAR WATER HEATING SYSTEMS;

(2) wind;

(3) qualifying biomass;

(4) methane from the anaerobic decomposition of organic materials in a landfill or wastewater treatment plant;

(5) geothermal;

(6) ocean, including energy from waves, tides, currents, and thermal differences;

(7) a fuel cell that produces electricity from a Tier 1 renewable source under item (3) or (4) of this subsection;

(8) a small hydroelectric power plant of less than 30 megawatts in capacity that is licensed or exempt from licensing by the Federal Energy Regulatory Commission; and

(9) poultry litter-to-energy.

7-704.

**(G) (1) ENERGY FROM A SOLAR WATER HEATING SYSTEM IS ELIGIBLE FOR INCLUSION IN MEETING THE RENEWABLE ENERGY PORTFOLIO STANDARD.**

**(2) A PERSON THAT OWNS AND OPERATES A SOLAR WATER HEATING SYSTEM SHALL RECEIVE A RENEWABLE ENERGY CREDIT EQUAL TO THE AMOUNT OF ENERGY, CONVERTED FROM BTUS TO KILOWATT-HOURS, THAT IS GENERATED BY THE SYSTEM THAT IS USED BY THE PERSON FOR WATER HEATING.**

**(3) THE TOTAL AMOUNT OF ENERGY GENERATED AND CONSUMED FOR A NONRESIDENTIAL OR COMMERCIAL SOLAR WATER HEATING SYSTEM SHALL BE MEASURED BY AN ON-SITE METER THAT:**

~~**(I) MEETS THE REQUIRED PERFORMANCE STANDARDS OF THE INTERNATIONAL ORGANIZATION OF LEGAL METROLOGY; AND**~~

~~**(II) IS CAPABLE OF PROVIDING ENERGY PRODUCTION DATA ONLINE TO THE COMMISSION.**~~

**(4) THE TOTAL AMOUNT OF ENERGY GENERATED AND CONSUMED BY A RESIDENTIAL SOLAR WATER HEATING SYSTEM SHALL BE:**

**(I) MEASURED BY A METER THAT:**

~~**1. MEETS THE REQUIRED STANDARDS OF THE INTERNATIONAL ORGANIZATION OF LEGAL METROLOGY; AND**~~

~~**2. IS CAPABLE OF PROVIDING ENERGY PRODUCTION DATA ONLINE TO THE COMMISSION; OR**~~

**(II) 1. MEASURED BY THE SOLAR RATINGS AND CERTIFICATION CORPORATION'S OG-300 ANNUAL PRODUCTION ESTIMATE THERMAL PERFORMANCE RATING FOR THE SYSTEM; AND**

**2. OG-300 CERTIFIED ~~BY~~ TO THE OG-300 STANDARD OF THE SOLAR RATINGS AND CERTIFICATION CORPORATION.**

**(5) A RESIDENTIAL SOLAR WATER HEATING SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH APPLICABLE STATE AND LOCAL PLUMBING CODES.**

**(6) A RESIDENTIAL SOLAR WATER HEATING SYSTEM MAY NOT PRODUCE MORE THAN FIVE SOLAR RENEWABLE ENERGY CREDITS IN ANY 1 YEAR.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply only to solar water heating systems that are commissioned on or after June 1, 2011.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect January 1, 2012.

**Approved by the Governor, May 19, 2011.**