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**HOUSE BILL 1598**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Representative Bernbaum

1 AN ACT Relating to fair access to community solar; amending RCW  
2 80.28.370, 80.28.375, and 82.16.182; adding new sections to chapter  
3 80.28 RCW; and creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds and declares that  
6 community solar:

7 (1) Provides investor owned utilities, ratepayers, and  
8 communities the opportunity to realize the benefits of distributed  
9 energy generation;

10 (2) Will provide family sustaining jobs and investments in the  
11 state of Washington;

12 (3) Expands equitable access to the benefits of clean energy for  
13 investor-owned utility ratepayers and communities, particularly for  
14 income-qualified households, renters, and other individuals who might  
15 not be able to install on-site solar energy systems at their  
16 buildings;

17 (4) Prevents or reduces negative impacts to the health, safety,  
18 and welfare of Washingtonians, especially for vulnerable populations;

19 (5) Strengthens the security, resilience, and reliability of the  
20 electric grid;

1 (6) Contributes to the timely achievement of Washington's  
2 greenhouse gas emissions reduction goals;

3 (7) Alleviates stress on electric grid infrastructure in a cost-  
4 effective manner, which makes it possible to defer or avoid costly  
5 transmission and distribution system investments;

6 (8) Helps the state cost-effectively meet the mandates in the  
7 Washington state energy code;

8 (9) Is consistent with the goals and intent of the energy  
9 assistance provisions of the Washington clean energy transformation  
10 act; and

11 (10) Will enhance the state's economy by capitalizing on the  
12 opportunities created by local, state, and federal programs and  
13 incentives such as the inflation reduction act.

14 **Sec. 2.** RCW 80.28.370 and 2017 3rd sp.s. c 36 s 10 are each  
15 amended to read as follows:

16 The definitions in this section apply throughout this section and  
17 RCW 80.28.375 and sections 3 through 6 of this act unless the context  
18 clearly requires otherwise.

19 ~~(1) ("Community solar company" means a person, firm, or~~  
20 ~~corporation, other than an electric utility or a community solar~~  
21 ~~cooperative, that owns a community solar project and provides~~  
22 ~~community solar project services to project participants.~~

23 ~~(2) "Community solar project" means a solar energy system that~~  
24 ~~has a direct current nameplate generating capacity that is no larger~~  
25 ~~than one thousand kilowatts.~~

26 ~~(3) "Community solar project services" means the provision of~~  
27 ~~electricity generated by a community solar project, or the provision~~  
28 ~~of the financial benefits associated with electricity generated by a~~  
29 ~~community solar project, to multiple project participants, and may~~  
30 ~~include other services associated with the use of the community solar~~  
31 ~~project such as system monitoring and maintenance, warranty~~  
32 ~~provisions, performance guarantees, and customer service.~~

33 ~~(4) "Electric utility" means a consumer-owned utility or~~  
34 ~~investor-owned utility as those terms are defined in RCW 19.280.020.~~

35 ~~(5) "Project participant" means a customer who enters into a~~  
36 ~~lease, power purchase agreement, loan, or other financial agreement~~  
37 ~~with a community solar company in order to obtain a beneficial~~  
38 ~~interest in, other than direct ownership of, a community solar~~  
39 ~~project.~~

1       ~~(6) "Solar energy system" means any device or combination of~~  
2 ~~devices or elements that rely upon direct sunlight as an energy~~  
3 ~~source for use in the generation of electricity))~~ "Community solar  
4 bill credit" means a monetary credit for electricity generated by a  
5 community solar project, in proportion to a community solar project  
6 subscriber's portion of the community solar project's kilowatt-hour  
7 output, and allocated to a community solar project subscriber's  
8 electricity bill on the utility's monthly billing cycle.

9       (2) "Community solar program" or "program" means a program that  
10 allows for the development of community solar projects and provides  
11 customers of a utility with the option of subscribing to a project  
12 and receiving community solar bill credits.

13       (3) (a) "Community solar project" means a solar photovoltaic  
14 energy system that provides community solar subscribers a community  
15 solar bill credit and:

16       (i) Has an alternating current nameplate generating capacity no  
17 larger than 5,000 kilowatts unless a larger size is approved by the  
18 utility serving the site of the project;

19       (ii) Is located in the state and is connected to an electric  
20 utility's distribution system;

21       (iii) Has a minimum of three subscribers and a single customer  
22 does not own or subscribe to more than 49 percent of the generating  
23 capacity of the project; and

24       (iv) Is not located on the same or adjoining parcel as another  
25 community solar project, unless the parcel is considered a preferred  
26 site, or the project includes an energy storage system.

27       (b) At least 50 percent of community solar generating capacity in  
28 each community solar project must be subscribed by residential  
29 subscribers. At least 30 percent of community solar generating  
30 capacity in each community solar project must be subscribed by low-  
31 income subscribers, low-income service provider subscribers, or a  
32 combination of them.

33       (4) "Community solar project manager" means an entity, other than  
34 an electric utility, that develops, owns, or operates one or more  
35 community solar projects.

36       (5) "Community solar project services" means the provision of the  
37 financial benefits associated with electricity generated by a  
38 community solar project to multiple project subscribers, and may  
39 include other services associated with the use of the community solar  
40 project such as leasing land, system monitoring and maintenance,

1 warranty provisions, performance guarantees, accounting, reporting,  
2 and customer service.

3 (6) "Community solar subscription manager" means an entity, other  
4 than an electric utility, that:

5 (a) Markets community solar projects or otherwise provides  
6 community solar-related services under its own brand name; and

7 (b) Performs any administrative actions to connect, enroll,  
8 maintain, and update customers with community solar projects.

9 (7) "Electric utility" means a consumer-owned utility or  
10 investor-owned utility as those terms are defined in RCW 19.280.020.

11 (8) "Energy storage system" means any commercially available  
12 system that is capable of retaining, storing, and delivering energy  
13 by chemical, thermal, mechanical, or other means.

14 (9) "Low-income" means household incomes that do not exceed the  
15 higher of 80 percent of area median household income or 200 percent  
16 of the federal poverty level, adjusted for household size.  
17 Subscribers may be considered low-income for the purposes of this  
18 program if they are a retail electric customer that is enrolled in a  
19 low-income program facilitated by the state or federal government,  
20 enrolled in a low-income energy program facilitated by the electric  
21 utility, resides in verifiable low-income housing, or is determined  
22 as such by the commission or any verification method authorized by  
23 the United States department of treasury for the qualified low-income  
24 economic benefit project investment tax credit under P.L. 117-169  
25 Sec. 13103(2)(c).

26 (10) "Low-income service provider" has the same meaning as  
27 defined in RCW 82.16.182.

28 (11) "Net-crediting" means a payment mechanism that requires an  
29 investor-owned utility to include both the community solar  
30 subscription cost and the community solar bill credit on the  
31 subscriber's electric bill.

32 (12) "Preferred site" means rooftops, parking structures,  
33 existing impervious surfaces, landfills, brownfields, previously  
34 developed sites, irrigation canals and ponds, stormwater collection  
35 ponds, industrial areas, solid waste facilities, land or structures  
36 owned by a metropolitan housing authority, department of natural  
37 resources' properties identified for solar development, and other  
38 sites that do not displace critical habitat or productive farmland as  
39 defined by state and county planning processes. Solar projects that

1 intentionally integrate with agricultural operations and projects  
2 owned by tribes may also qualify as preferred sites.

3 (13) "Prevailing wage" means the wage rate as identified in  
4 chapter 39.12 RCW.

5 (14) "Renewable energy credit" has the same meaning as defined in  
6 RCW 19.285.030.

7 (15) "Solar photovoltaic energy system" means any device or  
8 combination of devices or elements that relies upon direct sunlight  
9 as an energy source for use in the generation of electricity.

10 (16) "Subscriber" means a retail customer of an electric utility  
11 who enters into a contractual agreement to receive bill credits from  
12 a community solar project or to secure an ownership interest in a  
13 community solar project that grants the customer rights to community  
14 solar bill credits for application to the customer's electricity  
15 bill.

16 (17) "Subscription" means a portion of the output from or  
17 capacity of a community solar project located in an electric  
18 utility's territory purchased from a community solar project manager  
19 or a community solar subscription manager.

20 (18) "Unsubscribed energy" means the bill credits not allocated  
21 to a subscriber that accrue if a community solar project is not fully  
22 subscribed in any given month.

23 NEW SECTION. Sec. 3. A new section is added to chapter 80.28  
24 RCW to read as follows:

25 (1) The commission shall update rules for community solar  
26 projects to incorporate the requirements of this act.

27 (a) The commission shall host a minimum of two workshops with  
28 interested parties on the community solar program described in this  
29 act. The purpose of the workshops is to ensure consideration of  
30 relevant information and the expertise of interested parties in the  
31 creation, modification, or expansion of community solar programs.

32 (b) The working group shall consist of:

33 (i) Utility representatives;

34 (ii) Solar industry representatives;

35 (iii) Consumer advocates;

36 (iv) Members of, or organizations serving, overburdened  
37 communities and vulnerable populations;

38 (v) Tribes, or people or organizations working for or with tribes  
39 on clean energy programs or projects;

- (vi) Labor unions; and
- (vii) Other interested parties.

(2) Before adopting rules for the community solar program, the commission shall review, at a minimum, any recommendations, comments, or relevant information provided during the workshops.

(3) Not later than 18 months after the effective date of this section, the commission shall adopt rules to implement the community solar program, which shall include the following:

(a) A methodology for valuing community solar bill credit rates as outlined in section 5 of this act;

(b) A process for the certification of community solar facilities;

(c) Modifications of existing investor-owned utility interconnection fees as needed to facilitate the efficient and cost-effective interconnection of community solar projects so that the interconnection customer pays the reasonable costs and interconnections are designed, engineered, and completed in accordance with good utility practice;

(d) Consumer protections for subscribers, including:

(i) Standardizing a customer disclosure form for residential subscribers;

(ii) Prohibiting upfront sign-on fees or credit checks as a means of establishing eligibility for residential subscribers; and

(iii) Preventing early termination charges to any residential subscriber;

(e) Notices required for each community solar project manager to be sent in a standardized format containing information related to subscriber enrollment to the investor-owned utility that services the area where the organization's community solar project is sited;

(f) Opportunities for subscribers that receive utility allowances; and

(g) Community solar program evaluations to ensure that subscribers are effectively and equitably receiving credits from participating in the community solar program.

NEW SECTION. **Sec. 4.** A new section is added to chapter 80.28 RCW to read as follows:

(1) The commission shall conduct reviews of the community solar program described in this act at least once five years after the effective date of this section and once every 10 years after the

1 effective date of this section and submit a report to the legislature  
2 with the following information:

3 (a) The number and locations of operating community solar  
4 facilities;

5 (b) The amount of nameplate capacity certified;

6 (c) The number of subscribers, the total generating capacity that  
7 was subscribed to by those subscribers, and the types of customer  
8 classes;

9 (d) The number of low-income subscribers and low-income service  
10 providers, the total generating capacity that was subscribed to by  
11 those subscribers, and the types of customer classes;

12 (e) Whether cost savings were achieved by subscribers; and

13 (f) Any other metrics identified by the commission or the  
14 stakeholder working group.

15 (2) The commission may adopt rules to require community solar  
16 organizations and electric utilities to provide the commission with a  
17 report containing the relevant information described in subsection  
18 (1) of this section.

19 NEW SECTION. **Sec. 5.** A new section is added to chapter 80.28  
20 RCW to read as follows:

21 (1)(a) The commission must adopt a community solar bill credit  
22 valuation methodology that recognizes and incorporates the values  
23 that community solar programs bring to the electrical grid,  
24 including:

25 (i) The value of the electricity;

26 (ii) The value of the projects to transmission and distribution  
27 capacity, deferred transmission and distribution investments,  
28 deferred generation investments and added generation capacity,  
29 voltage, reduced system losses, reduced line losses, and ancillary  
30 services;

31 (iii) The value of the projects to grid reliability and  
32 resilience;

33 (iv) The value of environmental attributes, greenhouse gas  
34 emissions reductions, methane leakage reductions, public health, and  
35 energy security; and

36 (v) Other factors associated with locally produced electricity as  
37 determined by the commission.

38 (b) The community solar bill credit valuation must provide  
39 additional value for community solar projects when the project:

- 1 (i) Is located on a preferred site;  
2 (ii) Is owned by or serves tribal communities; or  
3 (iii) Incorporates an energy storage system.

4 (2) The community solar bill credit valuation must:

5 (a) Ensure the ability to finance, develop, and maintain  
6 community solar projects;

7 (b) Maximize the value that ratepayers, subscribers, and host  
8 communities receive from projects; and

9 (c) Include an annual escalator.

10 (3) Unsubscribed energy credits may be rolled forward on a  
11 community solar project account until it is allocated by a community  
12 solar project manager or community solar subscription manager to  
13 subscribers.

14 (4) Nothing in this section may be construed as intending to  
15 preclude persons from investing in or possessing an ownership  
16 interest in a community solar project or from applying for and  
17 receiving federal investment tax credits.

18 NEW SECTION. **Sec. 6.** A new section is added to chapter 80.28  
19 RCW to read as follows:

20 (1) A community solar project manager or community solar  
21 subscription manager must:

22 (a) Collect information regarding the financial costs and  
23 benefits realized by subscribers;

24 (b) Administer projects in a transparent manner that allows for  
25 fair and nondiscriminatory opportunities for participation;

26 (c) Provide each subscriber with a disclosure form containing all  
27 material terms and conditions of participation in the project; and

28 (d) Register with the commission.

29 (2)(a) Each subscriber's monthly community solar bill credit must  
30 be applied to the subscriber's retail electric bill in the month  
31 following the billing cycle in which the community solar project  
32 generated the credits.

33 (b) If the community solar project manager or community solar  
34 subscription manager amends the community solar project's subscriber  
35 list, the changes must be reflected on any customer bills issued more  
36 than 15 days after the amendment is received by the utility.

37 (3) Investor-owned utilities must reasonably allow for the  
38 transfer and portability of subscriptions, including allowing a



1 subscriber to retain a subscription if the subscriber moves within  
2 the same investor-owned utility's service territory.

3 (4) Investor-owned utilities may not change a subscriber's  
4 applicable customer class because of the subscriber's subscription to  
5 a community solar project.

6 (5) A community solar subscription manager may enter a net-  
7 crediting agreement on behalf of an eligible customer. Retail  
8 electric bills subjected to net-crediting must display the  
9 subscriber's subscription fee and furnish the subscriber with a net-  
10 credit equivalent to the total bill credit value for the generation  
11 period, deducting the subscription fee and any program-related  
12 administrative fees.

13 (a) Investor-owned utilities shall remit the subscription fee to  
14 the community solar subscription manager within 60 days of the  
15 energy's generation.

16 (b) The investor-owned utility may impose a net-crediting fee,  
17 capped at one percent of the subscription fee, unless the commission  
18 determines a higher fee is just and reasonable.

19 (6) The commission may amend the required residential, low-  
20 income, and low-income service provider subscriber level no sooner  
21 than 10 years after the adoption of program rules.

22 (a) Community solar capacity or generation allocated to low-  
23 income subscribers and low-income service provider subscribers are  
24 exempt from community solar program-related administrative fees.

25 (b) Community solar projects must maintain their low-income  
26 subscriber threshold for the project's lifetime.

27 (7) Renewable energy credits associated with the generation of  
28 electricity by a community solar project must be retired on behalf of  
29 the subscriber.

30 **Sec. 7.** RCW 80.28.375 and 2017 3rd sp.s. c 36 s 11 are each  
31 amended to read as follows:

32 (1) No community solar (~~company~~) project manager or their  
33 contracted agents, affiliates, or electric service providers may  
34 engage in business in this state except in accordance with the  
35 provisions of this chapter unless they are an established electric  
36 utility. Engaging in business (~~as a community solar company~~)  
37 includes advertising, soliciting, offering, or entering into an  
38 agreement to own a community solar project and provide community  
39 solar project services to (~~electric utility~~) customers.

1 (2) A community solar ((~~company~~)) project manager must have a  
2 valid business license pursuant to RCW 19.28.041 and register with  
3 the commission before engaging in business in this state ((~~or~~  
4 ~~applying for certification from the Washington State University~~  
5 ~~extension energy program under RCW 82.16.165(1). Registration with~~  
6 ~~the commission as a community solar company must occur on an annual~~  
7 ~~basis~~)). The registration must be on a form prescribed by the  
8 commission and contain that information as the commission may by rule  
9 require, but must include at a minimum:

10 (a) The name and address of the community solar ((~~company~~))  
11 project manager;

12 (b) The name and address of the community solar ((~~company's~~))  
13 project manager's registered agent, if any;

14 (c) ((~~The name, address, and title of each officer or director;~~  
15 ~~(d)~~)) The community solar ((~~company's most current balance~~  
16 ~~sheet~~)) project manager's proof of insurance;

17 ((~~(e)~~)) (d) The community solar ((~~company's~~)) project manager's  
18 latest annual report, if any, which should be filed confidentially;

19 ((~~(f)~~)) (e) A description of the services the community solar  
20 ((~~company~~)) project manager offers or intends to offer((~~, including~~  
21 ~~financing models~~)); and

22 ((~~(g)~~)) (f) Disclosure of any pending litigation against it.

23 (3) As a precondition to registration, the commission may require  
24 the procurement of a performance bond ((~~or other mechanism sufficient~~  
25 ~~to cover any advances or deposits the community solar company may~~  
26 ~~collect from project participants or order that the advances or~~  
27 ~~deposits be held in escrow or trust~~)).

28 (4) The commission may deny registration to any community solar  
29 ((~~company~~)) project manager that:

30 (a) Does not provide the information required by this section; or

31 (b) Fails to provide a performance bond or other mechanism, if  
32 required((~~+~~

33 ~~(c) Does not possess adequate financial resources to provide the~~  
34 ~~proposed service; or~~

35 ~~(d) Does not possess adequate technical competency to provide the~~  
36 ~~proposed service~~)).

37 (5) The commission must take action to approve or issue a notice  
38 of hearing concerning any application for registration within  
39 ((~~thirty~~)) 45 days after receiving the application. The commission

1 may approve an application with or without a hearing. The commission  
2 may deny an application after a hearing.

3 (6) The commission may charge a community solar ((~~company~~))  
4 project manager an ((~~annual~~)) application fee to recover the cost of  
5 processing applications for registration under this section. The fee  
6 must not be set in such a manner as to preclude nonprofits,  
7 individuals, and small businesses from participating as community  
8 solar project managers.

9 (7) The commission may adopt rules that describe the manner by  
10 which it will register a community solar ((~~company~~)) project manager,  
11 ensure that the terms and conditions of community solar projects or  
12 community solar project services comply with the requirements of  
13 chapter 36, Laws of 2017 3rd sp. sess., establish the community solar  
14 ((~~company's~~)) project manager's responsibilities for responding to  
15 customer complaints and disputes, and adopt annual reporting  
16 requirements. In addition to the application fee authorized under  
17 subsection (6) of this section, the commission may adopt regulatory  
18 fees applicable to a community solar ((~~companies~~)) project manager  
19 pursuant to RCW 80.04.080, 80.24.010, and 80.24.020. Such fees may  
20 not exceed the cost of ensuring compliance with this chapter.

21 (8) The commission may suspend or revoke a registration upon  
22 ((~~complaint by any interested party, or upon~~)) the commission's own  
23 motion after notice and opportunity for hearing((~~r~~)) when it finds  
24 that a registered community solar ((~~company~~)) project manager or its  
25 agent has violated this chapter or the rules of the commission, or  
26 that the community solar ((~~company~~)) project manager or its agent has  
27 been found by a court or governmental agency to have violated the  
28 laws of a state or the United States.

29 (9) For the purpose of ensuring compliance with this chapter, the  
30 commission may issue penalties against community solar ((~~companies~~))  
31 project managers for violations of this chapter as provided for  
32 public service companies pursuant to chapter 80.04 RCW.

33 (10) Upon request of the commission, a community solar  
34 ((~~company~~)) project manager registered under this section must  
35 provide information about its community solar projects or community  
36 solar project services.

37 (11) A violation of this section constitutes an unfair or  
38 deceptive act in trade or commerce in violation of chapter 19.86 RCW,  
39 the consumer protection act. Acts in violation of chapter 36, Laws of  
40 2017 3rd sp. sess. are not reasonable in relation to the development

1 and preservation of business, and constitute matters vitally  
2 affecting the public interest for the purpose of applying the  
3 consumer protection act, chapter 19.86 RCW.

4 (12) For the purposes of RCW 19.86.170, actions or transactions  
5 of a community solar (~~company~~) project manager may not be deemed  
6 otherwise permitted, prohibited, or regulated by the commission.

7 (13) Community solar subscription managers must have a valid  
8 business license pursuant to RCW 19.28.041 and register and maintain  
9 "good standing" with the commission before engaging in business in  
10 this state. The registration must be on a form prescribed by the  
11 commission and contain such information as the commission may by rule  
12 require, but must include, at a minimum:

13 (a) The name and address of the community solar subscription  
14 manager;

15 (b) The name and address of the community solar subscription  
16 manager's registered agent, if any;

17 (c) A description of the services the community solar  
18 subscription manager offers or intends to offer;

19 (d) Disclosure of any pending litigation against the community  
20 solar subscription manager;

21 (e) The community solar subscription manager's proof of  
22 insurance; and

23 (f) A copy of the standard community solar subscription agreement  
24 the community solar subscription manager will utilize.

25 **Sec. 8.** RCW 82.16.182 and 2022 c 212 s 4 are each amended to  
26 read as follows:

27 (1) The definitions in this section apply throughout this section  
28 and RCW 82.16.183 unless the context clearly requires otherwise.

29 (a) (~~(i)~~) "Administrator" means the utility, nonprofit,  
30 community solar project manager, community solar subscription  
31 manager, tribal housing authority ((as provided in (a)(ii) of this  
32 subsection)), public agency, or other local housing authority that  
33 organizes and administers a community solar project as provided in  
34 RCW 82.16.183 and 82.16.170.

35 (~~(ii) A tribal housing authority may only administer a community~~  
36 ~~solar project on tribal lands or lands held in trust for a federally~~  
37 ~~recognized tribe by the United States for subscribers who are tribal~~  
38 ~~members.))~~

1 (b) (i) "Certification" means the authorization issued by the  
2 Washington State University extension energy program establishing a  
3 community solar project administrator's eligibility to receive a low-  
4 income community solar incentive payment from the electric utility  
5 serving the site of the community solar project, on behalf of, and  
6 for the purpose of providing direct benefits to, its low-income  
7 subscribers, low-income service provider subscribers, and tribal and  
8 public agency subscribers.

9 (ii) A one-time certification may be issued to an electric  
10 utility for the purpose of implementing billing system upgrades that  
11 enable community solar bill crediting. The incentive payment may not  
12 exceed \$1,000,000 per investor-owned utility or \$250,000 per consumer  
13 owned utility.

14 (c) (i) "Community solar project" means a solar energy system  
15 that:

16 (A) Has a direct current nameplate capacity (~~that is greater~~  
17 ~~than 12 kilowatts but no greater than 199 kilowatts;~~

18 ~~(B) Has, at minimum, either two subscribers or one low-income~~  
19 ~~service provider subscriber; and~~

20 ~~(C) Meets the applicable eligibility requirements in RCW~~  
21 ~~82.16.183.~~

22 ~~(ii))~~ no greater than 199 kilowatts, has, at minimum, two  
23 subscribers or one low-income service provider subscriber, and meets  
24 the applicable eligibility requirements in RCW 82.16.183; or

25 (B) Has the same meaning as defined in RCW 80.28.370.

26 (ii) A community solar project may include a storage system with  
27 a solar energy system.

28 (d) "Community solar project manager" has the same meaning as  
29 defined in RCW 80.28.370.

30 (e) "Consumer-owned utility" has the same meaning as in RCW  
31 19.280.020.

32 ~~((e))~~ (f) "Electric utility" or "utility" means a consumer-  
33 owned utility or investor-owned utility as those terms are defined in  
34 RCW 19.280.020.

35 ~~((f))~~ (g) "Energy assistance" has the same meaning as provided  
36 in RCW 19.405.020.

37 ~~((g))~~ (h) "Energy burden" has the same meaning as provided in  
38 RCW 19.405.020.

39 ~~((h))~~ (i) "Governing body" has the same meaning as provided in  
40 RCW 19.280.020.

1       ~~((i))~~ (j)(i) "Installed cost" includes only the renewable  
2 energy system components and fees that are integral and necessary for  
3 the generation and storage of electricity. Components and fees  
4 include:

5       (A) Solar modules and inverters;

6       (B) Battery systems;

7       (C) Balance of system, such as racking, wiring, switch gears, and  
8 meter bases;

9       (D) Nonhardware costs incurred up to the date of the final  
10 electrical inspection, such as fees associated with engineering,  
11 permitting, interconnection, and application;

12       (E) Labor; and

13       (F) Sales tax.

14       (ii) "Installed cost" does not include structures and fixtures  
15 that are not integral and necessary to the generation or storage of  
16 electricity, such as carports and roofing.

17       ~~((j))~~ (k) "Interconnection customer" means the person,  
18 corporation, partnership, government agency, or other entity that  
19 proposes to interconnect, or has executed an interconnection  
20 agreement, with the electric utility.

21       ~~((k))~~ (l) "Low-income" has the same meaning as provided in RCW  
22 ~~((19.405.020))~~ 80.28.370.

23       ~~((l))~~ (m) "Low-income service provider" includes, but is not  
24 limited to, a local community action agency or local community  
25 service agency designated by the department of commerce under chapter  
26 43.63A RCW, local housing authority, tribal housing authority, low-  
27 income tribal housing program, affordable housing provider, food  
28 bank, or other nonprofit organization that provides services to low-  
29 income households as part of their core mission.

30       ~~((m))~~ (n) "Multifamily residential building" means a building  
31 containing more than two sleeping units or dwelling units where  
32 occupants are primarily permanent in nature.

33       ~~((n))~~ (o) "Person" means an individual, firm, partnership,  
34 corporation, company, association, agency, or any other legal entity.

35       ~~((o))~~ (p) "Preferred sites" ~~((means—rooftops,—structures,—~~  
36 ~~existing—impervious—surfaces,—landfills,—brownfields,—previously~~  
37 ~~developed—sites,—irrigation—canals—and—ponds,—stormwater—collection~~  
38 ~~ponds,—industrial—areas,—dual-use—solar—projects—that—ensure—ongoing~~  
39 ~~agricultural—operations,—and—other—sites—that—do—not—displace~~  
40 ~~critical—habitat—or—productive—farmland—as—defined—by—state—and~~

1 ~~county planning processes~~) has the same meaning as defined in RCW  
2 80.28.370.

3 ~~((p))~~ (q) "Public agency" means any political subdivision of  
4 the state including, but not limited to, municipal and county  
5 governments, special purpose districts, and local housing  
6 authorities, but does not include state agencies.

7 ~~((q))~~ (r)(i) Except as otherwise provided in ~~((q))~~ (r)(ii) of  
8 this subsection, "qualifying subscriber" means a low-income  
9 subscriber, low-income service provider subscriber, tribal agency  
10 subscriber, or public agency subscriber.

11 (ii) For tribal agency subscribers and public agency subscribers,  
12 only the portion of their subscription to a community solar project  
13 that is demonstrated to benefit low-income beneficiaries, including  
14 low-income service providers and services provided to low-income  
15 citizens or households, is to be considered a qualifying subscriber.

16 ~~((r))~~ (s) "Retail electric customer" has the same meaning as in  
17 RCW 80.60.010.

18 ~~((s))~~ (t) "Subscriber" ~~((means a retail electric customer of an~~  
19 ~~electric utility who owns or is the beneficiary of one or more units~~  
20 ~~of a community solar project directly interconnected with that same~~  
21 ~~utility)) has the same meaning as defined in RCW 80.28.370.~~

22 ~~((t))~~ (u) "Subscription" ~~((means an agreement between a~~  
23 ~~subscriber and the administrator of a community solar project)) has~~  
24 the same meaning as defined in RCW 80.28.370.

25 (2) This section expires June 30, 2038.

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