

CHAPTER 212  
FORMERLY  
SENATE BILL NO. 153  
AS AMENDED BY  
SENATE AMENDMENT NOS. 1 & 2

AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO CUSTOMER SITED ENERGY RESOURCES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Two-thirds of all members elected to each house thereof concurring therein):

Section 1. Amend §1001, Title 26 of the Delaware Code by adding two new definitions reading as follows, and renumbering existing definitions alphabetically.

“(1) ‘Aggregator’ means any person or entity who contracts with an electric distribution company, electric supplier or PJM Interconnection (or its successor) to provide energy services, which facilitate battery storage systems for grid-integrated electric vehicles and related technologies.

(14) ‘Grid-Integrated Electric Vehicle’ means a battery-run motor vehicle that has the ability for two-way power flow between the vehicle and the electric grid and the communications hardware and software that allow for the external control of battery charging and discharging by an electric distribution company, electric supplier, PJM Interconnection, or an aggregator.”

Section 2. Amend §1014, Title 26 of the Delaware Code by adding a new subsection to read as follows:

(g) A retail electric customer having on its premises one or more grid-integrated electric vehicles shall be credited in kilowatt-hours (kWh) for energy discharged to the grid from the vehicle’s battery at the same kWh rate that customer pays to charge the battery from the grid, as defined in (e)(1) of this section. Excess kWh credits shall be handled in the same manner as net metering as described in (e)(1) of this section. To qualify under this subsection, the grid-integrated electric vehicle must meet the requirements in (d)(1)a., (d)(1)b. and (d)(4) of this section. Connection and metering of grid integrated vehicles shall be subject to the rules and regulations found in (e)(2), (e)(3), and (e)(4) of this section.

Section 3. Amend §1014, Title 26 of the Delaware Code by adding thereto a new subsection to read as follows:

“(h) The Commission may adopt tariffs for regulated electric utilities that are not inconsistent with subsection (g) of this section. Such tariffs may include rate and credit structures that vary from those set forth in subsection (g) of this section, as long as alternative rate and credit structures are not inconsistent with the development of grid-integrated electric vehicles.”

Approved September 21, 2009