

COMMITTEE ON ENERGY AND ENVIRONMENTAL
PROTECTION

04/16/2014-HELD IN COMMITTEE

04/04/2014-AMENDED AND REPORTED OUT TO THE COMMITTEE ON RULES AND JUDICIARY

BILL NO. 30-0347

Thirtieth Legislature of the Virgin Islands

March 18, 2014

An Act amending title 12 Virgin Islands Code, chapter 23 and title 29, Virgin Islands Code, chapter 5, section 294, subsections (a) and (b), and repealing 12 V.I.C. §123 and 1125 as they relate to renewable energy

PROPOSED BY: Senator Craig W. Barshinger

1 *Be it enacted by the Legislature of the Virgin Islands:*

2 **SECTION 1.** Title 12 Virgin Islands Code, chapter 23, subchapter II, section 1122,
3 subsection (a) is amended by inserting “or heat pump water heaters” after “solar systems”.

4 **SECTION 2.** Title 12 Virgin Islands Code, chapter 23, subchapter IV is amended in the
5 following instances:

6 (a) Section 1143 is amended in-

7 (1) subsection (c), paragraph (3) by striking “or leased”; and

8 (2) subsection (d) by striking all of the language after “means” and inserting
9 new language that reads as follows: “exclusively a Virgin Islands Government building
10 or area occupied by Virgin Islands Government operations or activities”; and

1 (b) Section 1144 is amended by designating the existing subsection (b) as subsection
2 (e) and inserting new subsections (b), (c), and (d) that read as follows:

3 “(b) Any residential or commercial Utility customer eligible for net metering
4 under subsection (a), but without sufficient roof or land space at the point of consumption
5 to permit full exploitation of net metering rights under this subchapter, may install a
6 system elsewhere on a stand-alone basis or with others. The electricity produced at a
7 remote location must be exported to the Grid on a separate Utility meter, and the value of
8 the exported energy must be credited to the meter account at the point of actual
9 consumption.

10 (c) One megawatt of capacity in each district must be reserved for residential
11 systems of 5 kilowatts or less.

12 (d) The aggregate capacity of systems occupying the same parcel of property
13 is limited to no more than 20 kilowatts for residential installations and 100 kilowatts for
14 commercial installations.”

15 **SECTION 3.** Title 12 Virgin Islands Code, chapter 23, subchapter II, section 1123 and
16 section 1125 are repealed.

17 **SECTION 4.** Title 29 Virgin Islands Code, chapter 5, section 294 is amended in the
18 following instances:

19 (a) Subsection (a) is amended at the end of paragraph (5) by striking “or for the
20 installation of Solar Thermal Systems utilizing water storage tanks of 120 gallons or less”;

21 (b) Subsection (b) is amended by striking the second sentence at the end of paragraph
22 (3).

23 **SECTION 5.** Act No. 7075 is amended in Section 3 (a) by striking all the language
24 therein and inserting new language to read as follows:

1 . Section 2 also amends section 1144 by preventing a single property owner from seeking
2 to connect multiple systems to separate accounts and occupy a disproportionate amount of the
3 net metering capacity limit.

4
5 Section 3 repeals title 12 Virgin Islands Code, chapter 23, section 1123 and section 1125
6 to abolish the incentive programs, because ARRA funds are no longer available for renewable
7 energy rebates and the Government of the Virgin Islands does not have the financial resources to
8 directly fund a rebate program.

9
10 Section 4 amends the building code by eliminating exemptions from certain aspects of
11 the building permit process for solar, thermal and other renewable energy systems authorized by
12 Act No. 7168, Section 8.

13
14 Section 5 amends Act No. 7075, Section 3 (a) as it pertains to the exemption from excise
15 and gross receipts taxes for persons, firms, partnerships or corporations that produce and sell
16 power to WAPA.

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19 **BR-13-1062(a)amended/Correct Version /March 18, 2014/Revised by YLT**

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