POSITION STATEMENT FORM

GENERAL SUBJECT AREA -- TITLE OF PROPOSAL:

Support for Freedom for Solar Legislation

PROPOSAL:

Support legislation to eliminate barriers that impede the ability of local governments, businesses, and residents to install or purchase solar power for their own use. It is anticipated that legislation will be introduced that includes the components listed in the bullets below. This position statement supports the entire reform package, its individual components, or legislation that accomplishes similar goals.

● Allowing local government entities to install solar facilities of up to 5MW on government-owned property and use the electricity for government-owned buildings located on nearby property (even if property is not contiguous);
● Allowing customers to attribute output from a single solar array to multiple meters on the same or adjacent property of the same customer;
● Removing the restriction on customers installing a net-metered solar facility larger than required to meet their previous 12 months of demand;
● Raising the size cap for net metered for non-residential solar facilities from 1MW to 2MW;
● Lifting the 1% cap on the total amount of solar power generation that can be net metered in a utility territory;
● Clarifying that third-party financing using power purchase agreements (PPAs) is legal in all utility territories across the state – not just Dominion territory – and is authorized for all customer classes;
● Authorizing the owner of a multi-family residential building to install a solar facility on the building or surrounding property and to sell the electricity to tenants; and
● Removing standby charges on residential facilities sized between 10 to 20 kW.

SOURCE: Fairfax County Environmental Quality Advisory Council, July 2018

BACKGROUND:

Although Fairfax County and other Virginia localities currently have some authority to install or purchase on-site solar energy for their own use, many restrictions in Virginia’s current electricity law prevent the use of solar energy in certain circumstances or render such use uneconomic. For example, existing law prevents the use of solar energy generated on a county property by county users on a non-contiguous property and precludes electric utility customers from attributing output from a single solar array to multiple meters on the same or adjacent property of the customer. In recent years, these statutory restrictions have precluded efforts by Fairfax County to install a major solar array on the Lorton Landfill in an economically feasible way. It is clear to EQAC that the new
legal authorities identified above would greatly increase the benefits of solar energy in Fairfax County.

In addition, other restrictions on solar use by businesses and residents in Virginia impede the use of this renewable energy source or increase its costs. For example, the VA Code currently imposes standby charges on solar use by residential customers if their units are sized between 10 to 20kW. Removal of such barriers will assist the Fairfax County and other local governments in meeting their greenhouse gas reduction goals and will help spur the increases in local solar jobs (e.g., installers and marketers).

**STAFF RECOMMENDATION:**
(Do not fill out--This will be indicated by the Legislative Director and County Executive)
GENERAL SUBJECT AREA -- TITLE OF PROPOSAL:

Support for Solar Freedom legislation

ADDITIONAL BACKGROUND INFORMATION:
The Fairfax County Board has established targets for reducing greenhouse gas (GHG) emissions by 2020 of 20% below the 2005 baseline and 80% below the baseline by 2050. However, the county is not on track to meet these goals. The legislation would provide additional mechanisms to help the county increase the use of renewable energy, thereby helping to meet the county’s GHG reduction goals. In addition, renewable energy also can provide improved stability in county government electricity costs and even reduce electricity costs over the long-term.

By removing impediments to solar energy use by local government, businesses, and residents, the proposal also should be expected to reduce GHG emissions and increase renewable energy jobs in the county. Studies by the Solar Foundation and others have demonstrated the substantial benefits of favorable solar policies in spurring new jobs in solar installation and related activities. Solar energy development also can make the county more resilient to climate change and threats to the electric grid.

POSSIBLE SUPPORT OR OPPOSITION BY ORGANIZATIONS:
The Virginia Chapter of the Sierra Club is spearheading this legislation but several members of the Fairfax Delegation are expected to sponsor the legislation in the House of Delegates. Efforts also are underway to gain support from the Virginia Municipal League and the Virginia Association of Counties (and the involvement of Fairfax County Supervisors would be helpful in winning such support). Support is also likely from Arlington County and other localities. In addition, other State and county environmental groups and trade organizations and non-profits in the solar industry (e.g., MDV Solar Energy Industries Assn.) are expected to be strong supporters.

Dominion Virginia Power would be expected to oppose most of the legislative provisions and Appalachian Power also might be opposed.

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