

Green Legal News

A publication of the Green Energy and Environmental Design Practice Group

Week of June 16, 2008 Visit our website: www.pullcom.com

PULLMAN & COMLEY, LLC ATTORNEYS AT LAW

Green Building

Global

At the end of May, the International Organization for Standardization (ISO) announced a new standard for builders, architects and housing authorities. ISO 15392:2008 standard, entitled Sustainability in building construction – General principles, establishes internationally recognized principles for sustainability in building construction. The principles apply to buildings and other construction works individually and collectively, as well as to building materials, products, services and processes. The key principles include:

- (1) continually improving building construction sustainability;
- (2) considering environmental and social equity projects;
- (3) taking moral responsibility for actions;
- (4) considering short-, medium- and long-term implications;
- (5) managing risk to avoid unwanted outcomes and
- (6) providing open, comprehensive and understandable project information.

For further details, please go to

<http://www.iso.org/iso/pressrelease.htm?refid=Ref1131>

Federal

A bill was introduced that would assess a fee to companies that lease onshore and offshore land for the production of oil and natural gas. The fee would then be used to fund energy efficiency and renewable energy projects. HR 6256.

Representative Forbes (R-Va) introduced a bill to fund a grant and prize program for increasing energy efficiency in vehicles, buildings and energy. The bill would authorize \$10 billion in grants and \$14 billion in prize money to be administered by the Department of Energy. HR 6260

Representative Weiner (D-NY) introduced a bill to establish a green building certification standard as part of the Energy Star Program. HR 6271.

Florida

The Florida Public Service Commission released new net metering and interconnection guidelines. They state, in relevant part to net metering, that (1) each investor-owned utility shall install, at no additional cost to the customer, metering equipment at the point of delivery capable of measuring the difference between the electricity supplied to the customer from the investor-owned utility and the electricity generated by the customer and delivered to the investor-owned utility's electric grid; (2) during any billing cycle, excess customer-owned renewable generation delivered to the investor-owned utility's electric grid shall be credited to the customer's energy consumption for the next month's billing cycle; (3) Energy credits produced shall accumulate and be used to offset the customer's energy usage in subsequent months for a period of not more than twelve months. At the end of each calendar year, the investor-owned utility shall pay the customer

Visit our website: www.pullcom.com

for any unused energy credits at an average annual rate based on the investor-owned utility's COG-1, as-available energy tariff (i.e., avoided costs); (4) when a customer leaves the system, that customer's unused credits for excess kWh generated shall be paid to the customer at an average annual rate based on the investor-owned utility's COG-1, as-available energy tariff (i.e., avoided costs); (5) customers shall retain any Renewable Energy Certificates associated with the electricity produced by their customer-owned renewable generation equipment. Any additional meters necessary for measuring the total renewable electricity generated for the purposes of receiving Renewable Energy Certificates shall be installed at the customer's expense.

New Jersey

All state government buildings over 15,000 square feet must meet LEED Silver standards. 52:32-5.4.

The Commissioner of Community Affairs is authorized to prepare a green building manual for the purpose of ensuring that standards are available for those owners and builders who participate in any program that encourages or requires the construction of green buildings. "Green building" means those building construction practices that significantly reduce or eliminate the negative impact of buildings on the environment and their occupants and may consider, but need not be limited to five broad areas: sustainable site planning; safeguarding water and water efficiency; energy efficiency and renewable energy; conservation of materials and resources; and indoor environmental quality. 52:27D-130.6

New York

A bill was introduced that would establish the "Empire Revolving Bridge Loan Fund" that would provide funding to construction projects over \$10 million that reach LEED Gold or higher standards. SB 8525; SB 8526.

A bill was introduced that would require net-

metering to extend to "micro-combined heat and power." "Micro-combined heat and power generating equipment" means an integrated, cogenerating residential building heating and electrical power generation system, operating on any fuel and on any applicable engine, fuel cell, or other technology, with a rated capacity of not more than ten kilowatts electric and any thermal output that at full load has a design total fuel use efficiency of not less than eighty percent, and that has a maximum rate of useful heat energy output to electric energy output of ten that may work in combination with supplemental or parallel conventional heating systems, that is manufactured, installed, and operated in accordance with applicable government and industry standards, that is connected to the electric system and operated in conjunction with an electric corporation's transmission and distribution facilities. AB 6075

UpComing Conferences

- Green Real Estate 2008, Denver, CO, July 16-17, 2008
- Smart Green Showcase, Frederick, MD, July 18, 2008
- Connecticut Business and Industry Assoc., Effectively Controlling Your Energy Costs in Your Family Business, North Haven, CT, August 6, 2008
- ICSC Green Retail and Trade Expo, Addison, TX, September 15-16, 2008
- West Coast Green, San Jose, CA, September 25-27, 2008
- ULI Tour of Energy Freedom Pioneers Eco-Industrial Park, Pedricktown, NJ, October 8, 2008
- USGBC Greenbuild 2008, Boston, MA, November 19-21, 2008
- ICSC Centerbuild Conference, Scottsdale, AZ, December 3-6, 2008
- NAHB National Green Building Conference, Dallas, TX, May 8-10, 2009

Green Legal News

Please consider the environment when deciding to print this newsletter.

This newsletter is being provided without charge. The material contained herein is not and should not be construed or relied upon as legal advice. Please feel free to forward this publication to colleagues and friends. If you would like to have information included in this publication, please feel free to let us know. To subscribe or unsubscribe to this newsletter, please email unsubscribe@pullcom.com, with "Unsubscribe/Subscribe" in the subject line.

Contact:

Brad N. Mondschein

90 State House Square

Hartford, CT 06103

Phone: 860-424-4319

Fax: 860-424-4370

Email: bmondschein@pullcom.com