
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 550 Session of
2023

INTRODUCED BY BROWN, KEARNEY, LAUGHLIN, CAPPELLETTI, SCHWANK,
SANTARSIERO, TARTAGLIONE AND REGAN, APRIL 13, 2023

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,
APRIL 13, 2023

AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania
2 Consolidated Statutes, providing for community solar
3 facilities.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Title 66 of the Pennsylvania Consolidated
7 Statutes is amended by adding a chapter to read:

8 CHAPTER 30A

9 COMMUNITY SOLAR FACILITIES

10 Sec.

11 30A01. Findings and declarations.

12 30A02. Definitions.

13 30A03. Community solar facilities, electric distribution
14 companies and subscriber administrators.

15 30A04. Interconnection standards for community solar
16 facilities.

17 30A05. Unsubscribed energy.

18 30A06. Customer participation in community solar programs.

1 30A07. Location of multiple community solar facilities.

2 30A08. Decommissioning, recycling and photovoltaic panel
3 removal.

4 30A09. Grid services payment.

5 30A10. Prevailing wage for construction of community solar
6 facilities.

7 § 30A01. Findings and declarations.

8 The General Assembly finds and declares as follows:

9 (1) Community solar generation can foster economic
10 growth as well as opportunities for competition and
11 innovative business models.

12 (2) Growth in solar generation will provide family-
13 sustaining jobs and investments in this Commonwealth.

14 (3) Programs for community solar generation provide
15 customers with additional energy choices and access to
16 affordable energy options.

17 (4) Community solar programs provide customers,
18 including homeowners, renters and businesses, access to the
19 benefits of Pennsylvania community solar energy generation
20 that is unconstrained by the physical attributes of their
21 home or business, including roof space, shading or ownership
22 status.

23 (5) In addition to its provision of standard electricity
24 market commodities and services, local solar energy
25 generation can contribute to a more resilient grid and defer
26 the need for costly new transmission and distribution system
27 investment.

28 (6) The intent of this chapter is to:

29 (i) Allow electric distribution customers of this
30 Commonwealth to subscribe to a portion of a community

1 solar facility and have the result of the subscription be
2 guaranteed savings.

3 (ii) Reasonably allow for the creation, financing,
4 accessibility and operation of third-party-owned
5 community solar generating facilities and enable robust
6 customer participation.

7 (iii) Encourage the development of community solar
8 programs that will facilitate participation by and for
9 accessibility and operation of third-party owned
10 community solar generating facilities and enables robust
11 customer participation.

12 (iv) Encourage the development of community solar
13 programs that will facilitate participation by and for
14 the benefit of low-income and moderate-income customers
15 and the communities in which they live, reduce barriers
16 to participation by renters and small businesses, promote
17 affordability and improve access to basic utility
18 services.

19 (v) Enable a community solar market through
20 innovative technologies without the need for full retail
21 rate net metering.

22 (vi) Compensate the electric distribution companies
23 for efficient and reliable integration of these resources
24 into distribution systems through cost recovery and
25 treatment of payments for grid services as regulatory
26 assets.

27 (vii) Enable a community solar marketplace in this
28 Commonwealth without requiring State or municipal tax
29 resources.

30 § 30A02. Definitions.

1 The following words and phrases when used in this chapter
2 shall have the meanings given to them in this section unless the
3 context clearly indicates otherwise:

4 "Bill credit." The commission-approved monetary value of
5 each kilowatt hour of electricity generated by a community solar
6 facility and allocated to a subscriber's monthly bill to offset
7 any part of the subscriber's retail electric bill other than
8 volumetric or demand-based distribution charges.

9 "Brownfield or rooftop community solar facility." A facility
10 that meets the definition of community solar facility and is
11 primarily located on land that is regulated by the Department of
12 Environmental Protection under the following programs:

13 (1) The Land Recycling Program.

14 (2) The Solid Waste Program.

15 (3) The Abandoned Mine Reclamation Proclamation.

16 "Commission." The Pennsylvania Public Utility Commission.

17 "Community solar facility." A facility that:

18 (1) Is located within this Commonwealth.

19 (2) Is connected to and delivers electricity to a
20 distribution system operated by an electric distribution
21 company operating in this Commonwealth and in compliance with
22 requirements under this chapter.

23 (3) Generates electricity by means of a solar
24 photovoltaic device with a nameplate capacity rating that
25 does not exceed:

26 (i) 5,000 kilowatts of alternating current for
27 facilities that are not brownfield or rooftop community
28 solar facilities; and

29 (ii) 20,000 kilowatts of alternating current for
30 facilities that are brownfield or rooftop community solar

1 facilities.

2 (4) Has no single subscriber who subscribes to more than
3 50% of the facility capacity in kilowatts or output in
4 kilowatt hours, except for master-metered multifamily
5 residential and commercial buildings. No less than 50% of the
6 facility capacity shall be subscribed by subscriptions of 25
7 kilowatts or less.

8 (5) Credits some or all of the community solar facility
9 generated electricity to the bills of subscribers.

10 (6) May be located remotely from a subscriber's premises
11 and may not be required to provide energy to on-site load.

12 (7) Must be owned or operated by a community solar
13 organization.

14 "Community solar organization." An entity that owns or
15 operates one or more community solar facilities that is not
16 required to be an existing retail electric customer and purchase
17 electricity directly from the electric distribution company,
18 serve electric load independent of the community solar facility
19 or operate under an account held by the same individual or legal
20 entity of the subscribers to the community solar facility. A
21 community solar organization shall not be deemed a utility
22 solely as a result of its ownership or operation of a community
23 solar facility.

24 "Decommissioning plan." A document on file with the county
25 recorder of deeds detailing the steps that will be taken to
26 decommission a community solar facility and the amount, form and
27 timing of financial assurance.

28 "Electric distribution company." As defined in section 2803
29 (relating to definitions).

30 "Electric distribution customer." A customer that takes

1 electric distribution service from an electric distribution
2 company, regardless of whether the company is the customer's
3 supplier of electric generation or not.

4 "Grid services." Services provided by smart inverter
5 technology to support the grid and enhance reliability.

6 "Guaranteed savings." Realized savings as the difference
7 between the cost of a subscription to a community solar facility
8 and the credit received for the generation attributed to the
9 subscription.

10 "Initial and replacement subscribers." Each subscriber to a
11 single community solar facility over the life of the facility.

12 "Pennsylvania Prevailing Wage Act." The act of August 15,
13 1961 (P.L.987, No.442), known as the Pennsylvania Prevailing
14 Wage Act.

15 "Price to compare." The price per kilowatt hour, as used in
16 section 2807 (relating to duties of electric distribution
17 companies), based on an electric distribution company's
18 electricity payments during the last two years of PJM wholesale
19 energy market auctions which includes generation and
20 transmission, Pennsylvania's gross receipts tax and electric
21 distribution company charges for implementation of the
22 alternative energy portfolio standards.

23 "Smart inverter." A device that converts direct current into
24 alternating current and can autonomously contribute to grid
25 support by providing each of the following:

26 (1) Dynamic reactive and real power support.

27 (2) Voltage and frequency ride-through.

28 (3) Ramp rate controls.

29 (4) Communication systems.

30 "Subscriber." An electric distribution customer of an

1 electric distribution company who contracts for one or more
2 subscriptions of a community solar facility interconnected with
3 the customer's electric distribution company. The term includes
4 an electric distribution customer who owns a portion of a
5 community solar facility.

6 "Subscriber administrator." An entity that recruits and
7 enrolls subscribers, administers subscriber participation in one
8 or more community solar facilities and manages the subscription
9 relationship between subscribers and an electric distribution
10 company. The term may include a community solar organization and
11 shall not be considered a utility solely as a result of a
12 subscriber administrator's operation or ownership of a community
13 solar facility.

14 "Subscription." A contract between a subscriber and a
15 subscriber administrator of a community solar facility that
16 entitles the subscriber to a bill credit measured per kilowatt
17 hour and applied against the subscriber's retail electric bill.

18 "Threshold date." The date by which the commission has
19 approved a tariff filed by a utility under section 30A09(b)(2)
20 (relating to grid services payment) and no earlier than seven
21 years from the effective date of this section.

22 "Unsubscribed energy." The output of a community solar
23 facility, measured in kilowatt hours, that is not allocated to
24 subscribers.

25 § 30A03. Community solar facilities, electric distribution
26 companies and subscriber administrators.

27 (a) Authorization.--

28 (1) A community solar facility may be developed, built,
29 owned or operated by a third-party community solar
30 organization or a subscriber administrator.

1 (2) A community solar organization may serve as a
2 subscriber administrator or may contract with a third party
3 to serve as a subscriber administrator on behalf of the
4 community solar organization.

5 (3) A subscriber to community solar facilities shall
6 receive a monetary bill credit for every kilowatt hour
7 produced by the subscriber's subscription. A community solar
8 facility that demonstrates the following permission to
9 operate, shall have the initial and replacement subscribers
10 of the community solar facility receive a credit equivalent
11 to the electric distribution company's price to compare for
12 25 years from the date the community solar facility receives
13 permission to operate:

14 (i) an executed interconnection agreement with an
15 electric distribution company obtained through the
16 process governed by 52 Pa. Code Ch. 75 (relating to
17 alternative energy portfolio standards);

18 (ii) proof of site control;

19 (iii) required nonministerial permits;

20 (iv) a signed agreement for a commission-approved
21 workforce development requirement; and

22 (v) proof that the project is, or, if not yet
23 constructed, an attestation that the project will be, in
24 compliance with section 30A10 (relating to prevailing
25 wage for construction of community solar facilities).

26 (4) The terms and conditions of receiving the bill
27 credit may not limit or inhibit participation of subscribers
28 from any rate class.

29 (5) An electric distribution company shall allow for the
30 transferability and portability of subscriptions if the

1 subscriber relocates within the same electric distribution
2 company territory.

3 (6) A subscriber administrator shall be allowed to
4 update the subscriber administrator's list of subscribers and
5 the subscribers' relevant information in a standardized
6 electronic format approved by the commission on at least a
7 monthly basis.

8 (b) Customer protection.--

9 (1) Community solar organizations and subscriber
10 administrators shall be subject to the customer protection
11 provisions under Chapters 14 (relating to responsible utility
12 customer protection) and 15 (relating to service and
13 facilities) and 52 Pa. Code Ch. 56 (relating to standards and
14 billing practices for residential public utility service).
15 The commission shall establish regulations that provide for
16 the protection of residential customers who have
17 subscriptions with community solar organizations or
18 subscriber administrators.

19 (2) The commission shall develop a standardized customer
20 disclosure form for residential customers that identifies key
21 information that must be provided by subscriber
22 administrators to potential residential subscribers,
23 including future costs and benefits of subscriptions and
24 subscribers' rights and obligations pertaining to
25 subscriptions.

26 (3) Subscription costs for subscribers may not exceed
27 the value of the bill credit and may not include any upfront
28 or sign-on fees or credit checks. Subscription costs are
29 nonbasic utility charges. Failure to pay a subscription may
30 result in the loss of community solar subscription but shall

1 not impact utility services.

2 (4) The commission shall maximize benefits and minimize
3 costs to all rate classes, notwithstanding participation in
4 the community solar program.

5 (c) Duties of electric distribution companies.--

6 (1) On a monthly basis, an electric distribution company
7 shall provide to a community solar organization and
8 subscriber administrator a report in a standardized
9 electronic format indicating the total value of the bill
10 credit generated by the community solar facility in the prior
11 month, the calculation used to arrive at the total value of
12 the bill credit and the amount of the bill credit applied to
13 each subscriber.

14 (2) An electric distribution company shall provide a
15 bill credit to a subscriber's next monthly electric bill for
16 the proportional output of a community solar facility
17 attributable to the subscriber. Excess credits on a
18 subscriber's bill shall roll over from month to month. Excess
19 credits shall automatically be applied to the final electric
20 bill when a subscription is terminated for any cause.

21 (3) If requested by a community solar organization and
22 if agreed to by the electric distribution company, the
23 electric utility shall enter into a net crediting agreement
24 with the community solar organization to include a
25 subscriber's subscription fee on the monthly bill and provide
26 the customer with a net credit equivalent to the total bill
27 credit value for that generation period minus the
28 subscription fee, provided the subscription fee. The net
29 crediting agreement shall specify payment terms from the
30 electric distribution company to the community solar

1 organization and electric distribution companies may charge a
2 net crediting fee to the community solar organization that
3 may not exceed 1% of the bill credit value. A nonresidential
4 customer may subscribe to multiple community solar
5 facilities, except that no more than one of the subscriptions
6 may be under a net credit agreement with an electric
7 distribution company. The electric distribution company shall
8 remain responsible for billing all basic electric services,
9 including transmission, distribution and generation charges,
10 consistent with this part and commission regulations.
11 Customer services provided by the electric distribution
12 company shall also be maintained, at a minimum, consistent
13 with existing standards prior to implementation of a
14 community solar organization under this title and commission
15 regulation.

16 (4) An electric distribution company may not charge a
17 community solar facility, a community solar organization or a
18 subscriber to a community solar facility a fee or other type
19 of charge unless the fee or charge would apply to other
20 customers that are not a community solar facility, a
21 community solar organization or a subscriber to a community
22 solar facility, except as provided in this chapter. The
23 electric distribution company may not require additional
24 equipment or insurance or impose any other requirement unless
25 the additional equipment, insurance or other requirement is
26 specifically authorized by order of the commission, except as
27 provided in sections 30A04(a)(2) (relating to interconnection
28 standards for community solar facilities) and 30A09(d)
29 (relating to grid services payment).

30 (d) Electric distribution company cost recovery and

1 compensation.--

2 (1) A community solar organization shall compensate an
3 electric distribution company for the electric distribution
4 company's reasonable costs of interconnection of a community
5 solar facility.

6 (2) An electric distribution company may recover
7 reasonable costs, subject to approval by the commission, to
8 administer a community solar program within the electric
9 distribution company's service territory.

10 (3) An electric distribution company shall, subject to
11 approval by the commission, be entitled to recover any
12 additional costs from the bill credits in subsection (a)(3)
13 after using the energy, capacity and avoided distribution and
14 transmission value provided by community solar facilities to
15 offset the purchase requirements in PJM.

16 § 30A04. Interconnection standards for community solar
17 facilities.

18 (a) Applications.--Beginning on the effective date of this
19 section, an electric distribution company:

20 (1) Shall accept interconnection applications for
21 community solar facilities on a nondiscriminatory basis and
22 study the impact of interconnecting the facilities to the
23 grid using the current commission-approved interconnection
24 rules and tariffs and in accordance with best practices.

25 (2) May impose a fee after an initial scoping meeting of
26 up to \$2 per kilowatt as measured in nominal DC nameplate
27 capacity for community solar facilities. The fees shall be
28 used to offset the electric distribution company's study
29 costs for the facility, if not already covered by other fees,
30 or any costs associated with the electric distribution

1 company's implementation of the community solar program.

2 (3) Shall include, in an interconnection application for
3 a community solar facility, proof of site control for the
4 purposes of the study under paragraph (1).

5 (b) Interconnection Working Group.--Within 90 days of the
6 effective date of this section, the commission shall establish
7 an Interconnection Working Group between electric distribution
8 companies and stakeholders with oversight from commission
9 staff. The Interconnection Working Group shall review and change
10 any policies, processes, tariffs, rules or standards associated
11 with the interconnection of community solar facilities with the
12 goal of transparency, accuracy and efficiency to support the
13 achievement of the objectives in this chapter. The
14 Interconnection Working Group shall report back to the
15 commission recommended changes within 270 days of the effective
16 date of this section, and the commission shall codify changes to
17 the State jurisdictional interconnection rules.

18 (c) Administrative fees.--The commission may impose an
19 administrative fee on an initial interconnection application for
20 community solar facilities. The commission may apply a fee up to
21 5% of the electric distribution company's initial
22 interconnection application fees generated under this subsection
23 for administrative expenses directly associated with this
24 chapter.

25 § 30A05. Unsubscribed energy.

26 The electric distribution company shall purchase the credits
27 from a community solar facility at the electric distribution
28 company's wholesale energy cost as approved by the commission.
29 To offset any real or perceived costs, an electric distribution
30 company shall sell unsubscribed energy to PJM energy markets or

1 otherwise decrease energy purchases.

2 § 30A06. Customer participation in community solar programs.

3 (a) Establishment.--Not later than 365 days after the
4 effective date of this section, the commission shall establish
5 regulations to enable participation in community solar programs
6 by each customer class and economic group.

7 (b) Authority.--In order to facilitate the prompt
8 implementation of this chapter, the commission and the
9 Department of Environmental Protection may promulgate temporary
10 regulations that shall expire no later than two years following
11 the publication of the temporary regulations. The commission may
12 promulgate temporary regulations not subject to:

13 (1) Section 612 of the act of April 9, 1929 (P.L.177,
14 No.175), known as The Administrative Code of 1929.

15 (2) Sections 201, 202, 203, 204 and 205 of the act of
16 July 31, 1968 (P.L.769, No.240), referred to as the
17 Commonwealth Documents Law.

18 (3) Sections 204(b) and 301(10) of the act of October
19 15, 1980 (P.L.950, No.164), known as the Commonwealth
20 Attorneys Act.

21 (4) The act of June 25, 1982 (P.L.633, No.181), known as
22 the Regulatory Review Act.

23 (c) Expiration.--The authority of the commission and the
24 Department of Environmental Protection to adopt temporary
25 regulations under subsection (b) shall expire six months after
26 the effective date of this section. Regulations adopted after
27 this period shall be promulgated as provided by law.

28 (d) Contents.--The regulations shall:

29 (1) Be based on consideration of formal and informal
30 input from all stakeholders.

1 (2) Establish requirements that ensure access to
2 programs and equitable opportunities for participation for
3 residential and small commercial customer classes.

4 (3) Establish a registration process for community solar
5 organizations.

6 (4) Address the reasonable enforcement of minimum
7 subscription requirements, as required by the definition of
8 "community solar facility" in section 30A02 (relating to
9 definitions).

10 (5) The commission, in collaboration with the Office of
11 Consumer Advocate, electric distribution companies, community
12 solar organizations and low-income stakeholders, may, by
13 regulation, adopt mechanisms to ensure participation by low-
14 income customers.

15 (e) Report.--No later than five years after the effective
16 date of this section, the commission shall submit a report to
17 the General Assembly detailing the participation in community
18 solar programs by each customer class and economic group,
19 including the participation by low-income customers.

20 § 30A07. Location of multiple community solar facilities.

21 The commission shall, by regulation, establish limitations on
22 the location of multiple community solar facilities in close
23 proximity. The regulations shall:

24 (1) Prohibit an entity or affiliated entity under common
25 control from developing, owning or operating more than one
26 community solar facility on the same parcel or contiguous
27 parcels of land.

28 (2) Authorize individual brownfield or rooftop community
29 solar facilities to be sited on contiguous parcels if the
30 total brownfield or rooftop community solar facility capacity

1 on all contiguous parcels does not exceed the limits
2 established by the commission.

3 § 30A08. Decommissioning, recycling and photovoltaic panel
4 removal.

5 (a) Decommissioning plan.--The subscriber organization shall
6 establish and be responsible for the decommissioning of the
7 system, including removal, potential reuse and recycling of
8 panels, and the remediation of the site at the end of the
9 facility's useful life. The following shall apply:

10 (1) The community solar organization shall be
11 responsible for decommissioning the community solar facility
12 no later than 18 months after the community solar facility
13 has ceased electrical generation.

14 (2) The amount of financial assurance shall not be
15 calculated to be less than \$10,000 per megawatt of AC
16 nameplate capacity.

17 (3) No more than 20% of the total combined mass of the
18 community solar facility may enter a landfill.

19 (4) Within 180 days of the effective date of this
20 section, the Department of Environmental Protection shall
21 develop a standard form for a decommissioning plan and
22 financial assurance to be filed in accordance with this
23 chapter.

24 § 30A09. Grid services payment.

25 (a) Tariff.--Within 90 days of the effective date of this
26 section, an electric distribution company shall file a petition
27 with the commission requesting approval of the electric
28 distribution company's tariff to provide the grid services
29 payment to a community solar facility owner. The tariff shall be
30 available to owners of community solar facilities that have

1 installed a smart inverter that applies the settings detailed in
2 the tariff. The settings shall serve the purpose of preserving
3 reliability without negatively affecting the operation or
4 production of the community solar facility. Nothing under this
5 section shall negate or supersede Institute of Electrical and
6 Electronics Engineers interconnection standards or requirements
7 or other similar standards or requirements.

8 (b) Payment.--A community solar facility owner may apply for
9 a grid services payment as provided for under this section. The
10 following apply:

11 (1) Until the threshold date, the value shall be an
12 annual payment of 18¢ per watt of nameplate generating
13 capacity, measured as nominal DC capacity output, of a
14 community solar facility. The payment shall be paid to a
15 community solar facility annually for the first five years of
16 operation.

17 (2) After the threshold date, the value shall be
18 determined by the commission and set at a rate and term that
19 will ensure the reasonable continuation of the community
20 solar market established in this chapter.

21 (3) Notwithstanding the application date, an electric
22 utility shall issue the first payment under this subsection
23 no later than 60 days after the applicant has shown proof
24 that 75% of the nameplate capacity of the community solar
25 facility has been subscribed.

26 (c) Review.--The commission shall review the proposed tariff
27 submitted under this section and may make changes to the tariff
28 that are consistent with this section and with the commission's
29 authority, subject to notice and hearing. The commission shall
30 have 180 days to approve the tariff.

1 (d) Alternative energy credits.--Alternative energy credits
2 produced by a community solar facility that receives a grid
3 services payment shall be given to the electric distribution
4 company for the first 25 years of production specified in the
5 introductory paragraph of section 30A03(a)(3) (relating to
6 community solar facilities, electric distribution companies and
7 subscriber administrators) and may be used for compliance with
8 the requirements from the act of November 30, 2004 (P.L.1672,
9 No.213), known as the Alternative Energy Portfolio Standards
10 Act, sold in market or used for cost recovery and the treatment
11 of payments for the program. The electric distribution company
12 may require reasonable security from the community solar
13 organization, not to exceed 25% of the nominal value of the sum
14 total of all grid services payments to the community solar
15 facility owner, reduced ratably over the 25-year term. Security
16 shall be provided from the community solar facility owner to the
17 electric distribution company through a surety bond, letter of
18 credit, escrow account or investment-grade parent company
19 guarantee at the time the first grid service payment is
20 received. The electric utility's tariff shall outline the terms
21 and conditions and must allow for, at a minimum:

22 (1) a reasonable minimum capacity factor and yield to
23 determine annual production for different types of projects
24 that takes into account degradation and year-one production
25 variability;

26 (2) allowance for banking excess credits in any
27 production year in the two subsequent production years;

28 (3) the ability to use replacement alternative energy
29 credits of equivalent value; and

30 (4) the ability to reduce security, if 25-year

1 production is met early.

2 (e) Carbon budget trading markets.--A community solar
3 facility that receives a grid services payment shall not qualify
4 for any investment funds resulting from the Commonwealth's
5 participation in the Regional Greenhouse Gas Initiative or any
6 other carbon budget trading market.

7 (f) Cost recovery.--An electric distribution company shall
8 recover from the electric distribution company's customers the
9 costs of the grid services payment made under a tariff or
10 tariffs placed into effect under this section, the value of the
11 services payments and costs incurred by the utility to comply
12 with and implement this section, in accordance with the
13 following:

14 (1) The electric distribution company shall defer the
15 full amount of its costs incurred under this section as a
16 regulatory asset. The full amount of costs deferred as a
17 regulatory asset shall be amortized over a period of time
18 that is at least equal in length to the useful life of the
19 smart inverters associated with the payments.

20 (2) After the commission has approved the prudence and
21 reasonableness of the costs that comprise the regulatory
22 asset, the electric distribution company shall be permitted
23 to recover the costs and the value and recoverability through
24 rates of the associated regulatory asset may not be limited,
25 altered, impaired or reduced.

26 § 30A10. Prevailing wage for construction of community solar
27 facilities.

28 (a) Application.--A community solar facility for which a
29 credit is sought and awarded to a subscriber under this chapter
30 is deemed to meet each of the minimum requirements necessary to

1 apply the wage and benefit rates, and related certification of
2 payroll records, required by the act of August 15, 1961
3 (P.L.987, No.442), known as the Pennsylvania Prevailing Wage
4 Act. A community solar organization and its agents, contractors
5 and subcontractors must comply with the Pennsylvania Prevailing
6 Wage Act in compliance with section 30A03(a)(3)(iv) (relating to
7 community solar facilities, electric distribution companies and
8 subscriber administrators) undertaken at the community solar
9 facility in which credits for subscribers are sought and
10 awarded.

11 (b) Violation.--The Department of Labor and Industry shall
12 enforce this section and shall apply the same administration and
13 enforcement applicable under the requirements of the
14 Pennsylvania Prevailing Wage Act to ensure compliance. In
15 addition to enforcement authorized under the Pennsylvania
16 Prevailing Wage Act and subsection (a), if the Department of
17 Labor and Industry determines that the community solar
18 organization intentionally failed to pay prevailing wage rates
19 or benefit rates as specified under section 11(h) of the
20 Pennsylvania Prevailing Wage Act for work covered under
21 subsection (a), the community solar organization or the
22 community solar organization's agent shall pay a fine equivalent
23 to 10% of the value of the bill credit multiplied by the
24 estimated 25-year production of the community solar facility.

25 Section 2. This act shall take effect in 60 days.