

1 S.288

2 Introduced by Senator Bray

3 Referred to Committee on

4 Date:

5 Subject: Utilities; electric; customer energy use data; third-party access

6 Statement of purpose of bill as introduced: This bill proposes to require an  
7 electric company to provide third-party access to customer energy use data.

8 An act relating to third-party access to customer energy use data

9 It is hereby enacted by the General Assembly of the State of Vermont:

10 Sec. 1. 30 V.S.A. § 2811 is amended to read:

11 § 2811. SMART METERS; CUSTOMER RIGHTS; REPORTS

12 (a) Definitions. As used in this section, the following terms shall have the  
13 following meanings:

14 (1) "Smart meter" means a wired smart meter or a wireless smart meter.

15 (2) "Wired smart meter" means an advanced metering infrastructure  
16 device using a fixed wire for two-way communication between the device and  
17 an electric company.

18 (3) "Wireless smart meter" means an advanced metering infrastructure  
19 device using radio or other wireless means for two-way communication  
20 between the device and an electric company.

1 (b) Customer rights. Notwithstanding any law, order, or agreement to the  
2 contrary, an electric company may install a wireless smart meter on a  
3 customer's premises, provided the company:

4 (1) provides prior written notice to the customer indicating that the  
5 meter will use radio or other wireless means for two-way communication  
6 between the meter and the company and informing the customer of his or her  
7 rights under subdivisions (2) and (3) of this subsection;

8 (2) allows a customer to choose not to have a wireless smart meter  
9 installed, at no additional monthly or other charge; and

10 (3) allows a customer to require removal of a previously installed  
11 wireless smart meter for any reason and at an agreed-upon time, without  
12 incurring any charge for such removal.

13 (c) Reports. On January 1, 2014 and again on January 1, 2016, the  
14 Commissioner of Public Service shall publish a report on the savings realized  
15 through the use of smart meters, as well as on the occurrence of any breaches  
16 to a company's cyber-security infrastructure. The reports shall be based on  
17 electric company data requested by and provided to the Commissioner of  
18 Public Service and shall be in a form and in a manner the Commissioner deems  
19 necessary to accomplish the purposes of this subsection. The reports shall be  
20 submitted to the Senate Committees on Finance and on Natural Resources and

1 Energy and the House Committees on Commerce and Economic Development  
2 and on Natural Resources and Energy.

3 (d) Health report.

4 (1) On or before January 15, 2013, the Commissioner of Health and the  
5 Commissioner of Public Service shall jointly submit a report to the Senate  
6 Committee on Finance and the House Committee on Commerce and Economic  
7 Development. The report shall include: an update of the Department of  
8 Health's 2012 report entitled "Radio Frequency Radiation and Health: Smart  
9 Meters"; a summary of the Department's activities monitoring the deployment  
10 of wireless smart meters in Vermont, including a representative sample of  
11 postdeployment radio frequency level testing; and recommendations relating to  
12 evidence-based surveillance on the potential health effects of wireless smart  
13 meters.

14 (2) The Commissioner of Public Service, in consultation with the  
15 Commissioner of Health, shall select and retain an independent expert, not an  
16 employee of the State, to perform the research and writing of the report  
17 identified in subdivision (1) of this subsection. The Commissioner of Public  
18 Service may allocate the costs of retaining the independent expert to electric  
19 utilities in accordance with sections 20 and 21 of this title (particular  
20 proceedings; personnel; assessment of costs).

1       (e) Customer energy use data. Upon written request of a customer, an  
2       electric company shall provide access to the customer's energy use data to a  
3       third party who offers demand-side services. To achieve the purpose of this  
4       subsection, an electric company shall ensure that a smart meter or any other  
5       device or software that allows the company to monitor, meter, or control the  
6       end uses of a customer supports secure access by authorized third parties.

7       Sec. 2. EFFECTIVE DATE

8       This act shall take effect on July 1, 2018.