

By: Davis of Dallas

H.B. No. 3205

A BILL TO BE ENTITLED

AN ACT

relating to the authority of a customer to choose not to have an advanced meter installed.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 39.107, Utilities Code, is amended by adding Subsections (k) and (l) to read as follows:

(k) An electric utility or transmission and distribution utility that receives from the commission approval of the utility's plan for deploying advanced meters shall send to each customer scheduled to receive an advanced meter under the plan a notice that the customer may decline to have the meter installed. The utility shall send the notice to the customer's billing address by mail and describe the manner in which the customer may decline installation. If the utility includes the notice with the customer's bill, the utility must print the notice on a separate page.

(l) If, not later than the 30th day after the date the customer receives the notice, the customer declines to have the advanced meter installed, the utility may not:

(1) install the meter; or  
(2) charge the customer the nonbypassable surcharge otherwise authorized by Subsection (h).

SECTION 2. (a) An electric utility or transmission and distribution utility that, before the effective date of this Act, received approval from the Public Utility Commission of Texas of

1 the utility's plan for deploying advanced meters but that has not  
2 completed that deployment on the effective date of this Act, shall  
3 suspend that deployment on the effective date of this Act.

4 (b) Not later than the 15th day after the effective date of  
5 this Act, the electric utility or transmission and distribution  
6 utility shall send to each customer who is scheduled to receive an  
7 advanced meter under the deployment plan, but who has not received  
8 the meter, the notice required by Section 39.107(k), Utilities  
9 Code, as added by this Act. If a customer declines installation of  
10 the meter, as provided by Section 39.107(l), Utilities Code, as  
11 added by this Act, the utility shall refund to the customer the  
12 amount of any nonbypassable surcharge imposed under Section  
13 39.107(h), Utilities Code, that the utility previously collected  
14 from the customer.

15 SECTION 3. This Act takes effect September 1, 2011.