

BILL ANALYSIS

Senate Research Center

S.B. 1219
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Business & Commerce
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Electricity smart meters, installed over the past several years, are collecting and wirelessly transmitting significantly more information than the conventional meters they have replaced. Every 15 minutes of every day, smart meters transmit data to utility databases that reflects the consumption inside premises.

While retail electric providers (REPs) and transmission and distribution utilities (TDUs) have access to this information to connect and disconnect service and issue bills to consumers, it is less known that third party marketers that get access to smart meter collected data are not subject to basic privacy protections or oversight by state regulators.

While state law is clear that electricity customers own their data, there is concern among some that state regulators are making it easier for unaccountable third-party marketers to get access to this data by creating a consumer “check box” on an electric utility-administered website.

Because third party marketers have not established electric service relationships with consumers and because third parties are not subject to baseline privacy protections nor accountable to state regulators, they should be subject to a higher standard for data use.

This bill requires entities other than REPs and TDUs to obtain written permission from the consumer to get access to smart meter-collected data.

As proposed, S.B. 1219 amends current law relating to a customer's right to privacy of smart meter collected data.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 39.107(b), Utilities Code, to authorize an entity other than a retail electric provider or electric utility to only have access to meter data with written consent from a customer under rules established by the Public Utility Commission of Texas.

SECTION 2. Effective date: upon passage or September 1, 2013.